THE NATIONAL INTEREST

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America's Dead Souls
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Goodbye to Berlin
Walter Russell Mead

How Much Does Iraq Matter?
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THE NATIONAL INTEREST

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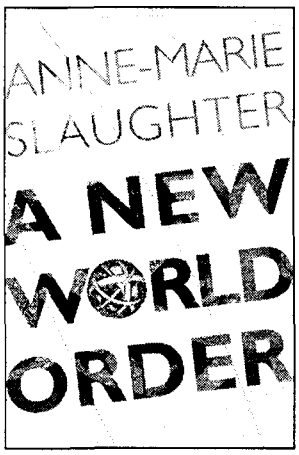
Reading Allowed

A New World Order

Anne-Marie Slaughter



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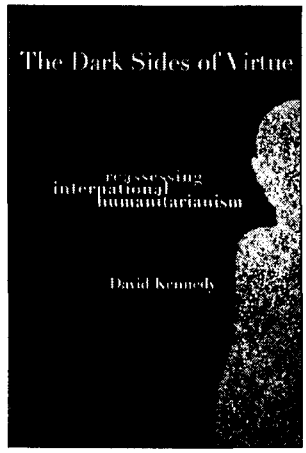

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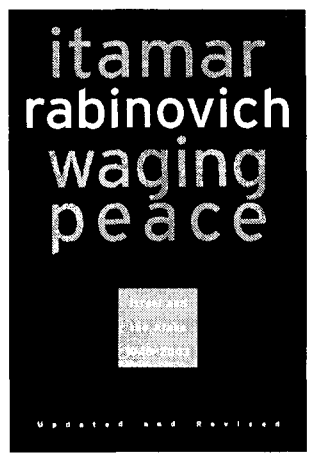

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Dead Souls

The Denationalization of the American Elite

Samuel P. Huntington

DEBATES OVER national identity are a pervasive characteristic of our time. In part, they raise rhetorical questions, but they also have profound implications for American society and American policy at home and abroad. Different perceptions—especially between the citizenry and the more cosmopolitan elites—of what constitutes national identity generate different national interests and policy priorities.

The views of the general public on issues of national identity differ significantly from those of many elites. The public, overall, is concerned with physical security but also with societal security, which involves the sustainability—within acceptable conditions for evolution—of existing patterns of language, culture, association, religion and national identity. For many elites, these concerns are secondary to participating in the global economy, supporting international trade and migration, strengthening international institutions, promoting American values abroad, and encouraging minority identities and cultures at home. The central distinction between the public and elites is not isolationism versus internationalism, but nationalism versus cosmopolitanism.

Samuel P. Huntington is chairman of the Harvard Academy for International and Area Studies and an editorial board member of *The National Interest*. Copyright 2004 by Samuel P. Huntington. From the forthcoming book, *Who Are We? The Challenges to America's National Identity*, to be published by Simon & Schuster, Inc., NY. Printed by permission.

Dead Souls

IN AUGUST 1804, Walter Scott finished writing *The Lay of the Last Minstrel.* Therein, he asked whether

> Breathes there the man with soul so dead
> Who never to himself hath said:
> "This is my own, my native Land?"
> Whose heart hath ne'er within him burned
> As home his footsteps he hath turned, . . .
> From wandering on a foreign strand?

A contemporary answer to Scott's question is: Yes, the number of dead souls is small but growing among America's business, professional, intellectual and academic elites. Possessing in Scott's words, "titles, power and pelf", they also have decreasing ties with the American nation. Coming back to America from a foreign strand, they are not likely to be overwhelmed with deep feelings of commitment to their "native land." Their attitudes and behavior contrast with the overwhelming patriotism and nationalistic identification of the rest of the American public. A major gap is growing in America between the dead or dying souls among its elites and its "Thank

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God for America" public. This gap was temporarily obscured by the patriotic rallying after September 11. In the absence of repeated comparable attacks, however, the pervasive and fundamental forces of economic globalization make it likely that the denationalizing of elites will continue.

Globalization involves a huge expansion in the international interactions among individuals, corporations, governments, NGOs and other entities; growth in number and size of multinational corporations investing, producing and marketing globally; and the multiplication of international organizations, regimes and regulations. The impact of these developments differs among groups and among countries. The involvement of individuals in globalizing processes varies almost directly with their socio-economic status. Elites have more and deeper transnational interests, commitments and identities than non-elites. American elites, government agencies, businesses and other organizations have been far more important in the globalization process than those of other countries. Hence there is reason for their commitments to national identities and national interests to be relatively weaker.

The central distinction between the public and elites is not isolationism versus internationalism, but nationalism versus cosmopolitanism

These developments resemble on a global basis what happened in the United States after the Civil War. As industrialization moved ahead, businesses could no longer succeed if their operations were confined to a particular locality or state. They had to go national in order to get the capital, workers and markets they needed. Ambitious individuals had to become geographically, organizationally and, to some extent, occupationally mobile, and pursue their careers on a national rather than a local basis. The growth of national corporations and other national associations promoted national viewpoints, national interests and national power. National laws and standards took precedence over state ones. National consciousness and national identity became preeminent over state and regional identities. The rise of transnationalism, although in its early stages, is somewhat similar.

Transnational ideas and people fall into three categories: universalist, economic and moralist. The universalist approach is, in effect, American nationalism and exceptionalism taken to the extreme. In this view, America is exceptional not because it is a unique nation but because it has become the "universal nation." It has merged with the world through the coming to America of people from other societies and through the widespread acceptance of American popular culture and values by other societies. The distinction between America and the world is disappearing because of the triumph of American power and the appeal of American society and culture. The economic approach focuses on economic globalization as a transcendent force breaking down national boundaries, merging national economies into a single global whole, and rapidly eroding the authority and functions of national governments. This view is prevalent among executives of multinational corporations, large NGOs, and comparable organizations operating on a global basis and among individuals with skills, usually of a highly technical nature, for which there is a global demand and who are thus able to pursue careers moving from country to country. The moralistic approach decries patriotism and nationalism as evil forces and argues that international law, institutions, regimes and norms are morally superior to those of individual nations. Commitment to humanity must supersede commitment to nation. This view is

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found among intellectuals, academics and journalists. Economic transnationalism is rooted in the bourgeoisie, moralistic transnationalism in the intelligentsia.

In 1953, the head of General Motors, nominated to be secretary of defense, proclaimed, "What's good for General Motors is good for America." He was widely criticized for not saying that what's good for America is good for General Motors. Either way, both he and his critics presumed some coincidence of interest between corporation and country. Now, however, multinational corporations see their interests as separate from America's interests. As their global operations expand, corporations founded and headquartered in the United States gradually become less American. In the 1990s, corporations such as Ford, Aetna, Motorola, Price Costco and Kimberly-Clark forcefully rejected, in response to a Ralph Nader proposal, expressions of patriotism and explicitly defined themselves as multinational. America-based corporations operating globally recruit their workforce and their executives, including their top ones, without regard to nationality. The CIA, one of its officials said in 1999, can no longer count on the cooperation of American corporations as it once was able to do, because the corporations view themselves as multinational and may not think it in their interests to help the U.S. government.[1]

NATIONALISM has proven wrong Karl Marx's concept of a unified international proletariat. Globalization is proving right Adam Smith's observation that while "the proprietor of land is necessarily a citizen of the particular country in which his estate lies . . . the proprietor of stock is properly a citizen of the world, and is not necessarily attached to any particular country." Smith's 1776 words describe the way contemporary transnational businessmen see themselves. Summarizing their interviews with executives of 23 American multinational corporations and nonprofit organizations, James Davison Hunter and Joshua Yates conclude:

> Surely these elites *are* cosmopolitans: they travel the world and their field of responsibility is the world. Indeed, they see themselves as 'global citizens.' Again and again, we heard them say that they thought of themselves more as 'citizens of the world' who happen to carry an American passport than as U.S. citizens who happen to work in a global organization. They possess all that is implied in the notion of the cosmopolitan. They are sophisticated, urbane and universalistic in their perspective and ethical commitments.

Together with the "globalizing elites" of other countries, these American executives inhabit a "socio-cultural bubble" apart from the cultures of individual nations and communicate with each other in a social science-y version of English, which Hunter and Yates label "global speak."

The economic globalizers are fixated on the world as an economic unit. As Hunter and Yates report,

> All these globalizing organizations, and not just the multinational corporations, operate in a world defined by 'expanding markets', the need for 'competitive advantage', 'efficiency', 'cost-effectiveness', 'maximizing benefits and minimizing costs', 'niche markets', 'profitability' and 'the bottom line.' They justify this focus on the grounds that they are meeting the need of consumers all over the world. That is their constituency.

"One thing globalization has done", a consultant to Archer Daniels Midland

[1] "How Global Is My Company?" *Communiqué*, Global Business Policy Council, A.T. Kearney, No. 2 (Fourth Quarter, 2000), p. 3; Statement by John Davey, Directorate of Intelligence, CIA, television interview, March 11, 1999.

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said, "is to transfer the power of governments to the global consumer."[2] As the global market replaces the national community, the national citizen gives way to the global consumer.

Economic transnationals are the nucleus of an emerging global superclass. The Global Business Policy Council asserts:

> The rewards of an increasingly integrated global economy have brought forth a new global elite. Labeled 'Davos Men', 'gold-collar workers' or . . . 'cosmocrats', this emerging class is empowered by new notions of global connectedness. It includes academics, international civil servants and executives in global companies, as well as successful high-technology entrepreneurs.

Estimated to number about 20 million in 2000, of whom 40 percent were American, this elite is expected to double in size by 2010.[3] Comprising fewer than 4 percent of the American people, these transnationalists have little need for national loyalty, view national boundaries as obstacles that thankfully are vanishing, and see national governments as residues from the past whose only useful function is to facilitate the elite's global operations. In the coming years, one corporation executive confidently predicted, "the only people who will care about national boundaries are politicians."

Involvement in transnational institutions, networks and activities not only defines the global elite but also is critical to achieving elite status within nations. Someone whose loyalties, identities and involvements are purely national is less likely to rise to the top in business, academia, the media and the professions than someone who transcends these limits. Outside politics, those who stay home stay behind. Those who move ahead think and act internationally. As sociologist Manuel Castells has said, "Elites are cosmopolitan, people are local." The opportunity to join this transnational world, however, is limited to a small minority of people in industrialized countries and to only a miniscule handful of people in developing countries.

The global involvements of the transnational economic elites erode their sense of belonging to a national community. An early 1980s poll showed:

> The higher people's income and education . . . the more conditional the allegiance. . . . They were more likely than the poor and uneducated to say they would leave the country if they could double their income.[4]

In the early 1990s, future Secretary of Labor Robert Reich reached a similar conclusion, noting that "America's highest income earners . . . have been seceding from the rest of the nation."[5] This seceding elite is, as John Micklethwait and Adrian Wooldridge say,

> increasingly cut off from the rest of society: Its members study in foreign universities, spend a period of time working abroad and work for organizations that have a global reach. They constitute a world within a world, linked to each other by myriad global networks but insulated from the more hidebound members of their own societies. . . . They are more likely to spend their time chatting with

---

[2]Hunter and Yates, "In the Vanguard of Globalization: The World of American Globalizers", in Peter L. Berger and Samuel Huntington, eds., *Many Globalizations: Cultural Diversity in the Contemporary World* (New York: Oxford University Press, 2000), p. 345.

[3]John Micklethwait and Adrian Wooldridge, *A Future Perfect: The Challenge and Hidden Promise of Globalization* (New York: Crown Business, 2000), p. 235; "How Global Is My Company?", p. 4.

[4]Adam Clymer, "The Nation's Mood", *New York Times Magazine*, December 11, 1983, p. 47.

[5]Reich, "What Is a Nation?", *Political Science Quarterly*, (Summer 1991), p. 193.

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their peers around the world—via phone or e-mail—than talking with their neighbors in the projects around the corner.[6]

Contemporary intellectuals have reinforced these trends. They abandon their commitment to their nation and their fellow citizens and argue the moral superiority of identifying with humanity at large. This proclivity florished in the academic world in the 1990s. The University of Chicago's Martha Nussbaum denounced emphasis on "patriotic pride" as "morally dangerous", urged the ethical superiority of cosmopolitanism over patriotism, and argued that people should direct their "allegiance" to the "worldwide community of human beings." Amy Gutmann of Princeton argues that it was "repugnant" for American students to learn that they are, "above all, citizens of the United States." The "primary allegiance" of Americans, she wrote, "should not be to the United States or to some other politically soverign community", but to "democratic humanism." George Lipsitz of the University of California, San Diego, argued that "in recent years refuge in patriotism has been the first resort of scoundrels of all sorts." Richard Sennett of NYU denounced "the evil of a shared national identity" and judged the erosion of national sovereignty "basically a positive phenomenon." Peter Spiro of Hofstra University approvingly concluded that it is "increasingly difficult to use the word 'we' in the context of international affairs." In the past people used the word "we" with reference to the nation-state, but now affiliation with the nation-state "no longer necessarily defines the interests or even allegiances of the individual at the international level."[7]

Moralist transnationals reject or are highly critical of the concept of national sovereignty. They agree with UN Secretary General Kofi Annan that national sovereignty ought to give way to "individual sovereignty" so that the international community can act to prevent or stop gross violations by governments of the rights of their citizens. This principle provides a basis for the United Nations to intervene militarily or otherwise in the domestic affairs of states, a practice explicitly prohibited by the UN Charter. More generally, the moralists advocate the supremacy of international law over national law, the greater legitimacy of decisions made through international rather than national processes, and the expansion of the powers of international institutions compared to those of national governments. Moralist international lawyers have developed the concept of "customary international law", which holds that norms and practices that have wide acceptance can be a basis for invalidating national laws.

A key step making this principle a reality in America was the 1980 decision by the Second Circuit Court of Appeals interpreting a 1789 statute designed to protect American ambassadors. In this case, *Filartiga v. Pena-Irala*, the court held that Paraguayan citizens residing in the United States could bring civil action in American courts against a Paraguayan government official whom they accused

[6]Micklethwait and Wooldridge, *A Future Perfect*, pp. 241–2.

[7]Nussbaum, "Patriotism and Cosmopolitanism", in Martha C. Nussbaum et al., *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon Press, 1996), pp. 4–9; Gutmann, "Democratic Citizenship", *ibid.*, pp. 68–9; Lipsitz, "Dilemmas of Beset Nationhood: Patriotism, the Family, and Economic Change in the 1970s and 1980s", in John Bodnar, ed., *Bonds of Affection: Americans Define Their Patriotism* (Princeton: Princeton University Press, 1996), p. 256; Sennett, "America is Better Off Without A 'National Identity'", *International Herald Tribune*, January 31, 1994; Spiro, "New Global Communities: Non-Governmental Organizations in International Decision-Making Institutions", *Washington Quarterly* (Winter 1995), p. 45.

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of murdering a Paraguayan in Paraguay. This ruling led to a number of similar cases being filed in U.S. courts. In these cases, courts in one country transcend the territorial jurisdiction of their country and assert the authority to act on alleged human rights abuses by foreigners against foreigners in foreign countries.

Moralist international lawyers argue that precedents in customary international law supersede previous federal and state laws. Since customary international law is not set forth in either statutes or treaties, it is, as the noted legal scholar Jeremy Rabkin says, whatever experts persuade

> a judge to think it may be. For that reason, it is likely to reach more and more deeply into domestic affairs. If a norm in customary international law exists against race discrimination, why not also against sex discrimination? And then why not also against discrimination on the basis of citizenship or language or sexual orientation?[8]

Moralist international lawyers argue American law must meet international standards and approve of unelected foreign judges, as well as American ones, defining the civil rights of Americans in terms of international rather than American norms. In general, moralist transnationals believe that the United States should support the creation of tribunals such as the International Criminal Court and abide by its decisions as well as those of the International Court of Justice, the UN General Assembly and comparable bodies.

The prevalence of anti-patriotic attitudes among liberal intellectuals led some of them to warn their fellow liberals of the consequences of such attitudes for the future not of America but of American liberalism. Most Americans, as the American public philosopher Richard Rorty has written, take pride in their country, but "many of the exceptions to this rule are found in colleges and universities, in the academic departments that have become sanctuaries for left-wing political views." These leftists have done "a great deal of good for . . . women, African-Americans, gay men and lesbians. . . . But there is a problem with this Left: it is unpatriotic." It "repudiates the idea of a national identity and the emotion of national pride." If the Left is to retain influence, it must recognize that a "sense of shared national identity . . . is an absolutely essential component of citizenship." Without patriotism, the Left will be unable to achieve its goals for America.[9] Liberals, in short, must use patriotism as a means to achieve liberal goals.

The Patriotic Public

WHILE ELEMENTS of America's business and intellectual elites are identifying more with the world as a whole and defining themselves as "global citizens", Americans as a whole are becoming more committed to their nation. Huge majorities of Americans claim to be patriotic and express great pride in their country. Asked in 1991, "How proud are you to be an American?", 96 percent of Americans said "very proud" or "quite proud." The terrorist attacks of 9/11 could not and did not have much effect on these high levels of patriotic assertion; in September 2002, 91 percent of Americans were "extremely" or "very" proud to be American.[10]

These affirmations of patriotism and pride in country might be less meaning-

[8]Rabkin, *Why Sovereignty Matters* (Washington, DC: AEI Press, 1998), p. 51-ff.

[9]Rorty, *Achieving Our Country: Leftist Thought in Twentieth-Century America* (Cambridge, MA: Harvard University Press, 1998), p. 15; Rorty, "The Unpatriotic Academy", *New York Times*, February 13, 1994.

[10]ABC-*Washington Post*-Gallup poll, September 2002.

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ful if people in other countries responded similarly. By and large, they do not. Americans have consistently and overwhelmingly been foremost among peoples in their patriotism and their identification with their country. This country ranked first in national pride among the 41 to 65 countries covered in each of the World Values Surveys of 1981–82, 1990–91, and 1995–96, with 96 to 98 percent of Americans saying they were "very proud" or "quite proud" of their country.

The extent of their identification varies, however, with their socio-economic status, race and place of birth. In the 1990–91 World Values Survey, over 98 percent of native-born Americans, immigrants, non-Hispanic whites, blacks and 95 percent of Hispanics said they were very proud or quite proud of their country. When asked about the priority of their national identity, however, differences appeared. Thirty-one percent of the native-born and of non-Hispanic whites said they identified primarily with America, but these proportions dropped to 25 percent for blacks, 19 percent for Hispanics and 17 percent for immigrants. Asked whether they would be willing to fight for America, 81 percent of non-Hispanic whites and 79 percent of native-born Americans said yes, compared to 75 percent of immigrants, 67 percent of blacks and 52 percent of Hispanics.[11]

As these figures suggest, recent immigrants and the descendants of people coerced into becoming part of American society are likely to have more ambivalent attitudes toward that society than the descendants of settlers and earlier immigrants. Blacks and other minorities have fought valiantly in America's wars. Yet significantly fewer blacks than whites think of themselves as patriotic. In a 1989 poll 95 percent of whites and 72 percent of blacks said that they considered themselves "very" or "somewhat" patriotic.[12] In a 1998 survey of the parents of school children, 91 percent of white, 92 percent of Hispanic and 91 percent of immigrant parents strongly or somewhat agreed with the statement, "The U.S. is a better country than most other countries in the world." Among African-American parents, the proportion dropped to 84 percent. In other surveys, black-white differences have been somewhat less, yet in a September 2002 Gallup poll for ABC News-*Washington Post*, 74 percent of whites and 53 percent of non-whites said they were "extremely" proud to be an American, a larger difference than between other major social-economic categories.[13]

Overall, however, with only minor variations, Americans overwhelmingly and intensely identify with their country, particularly compared to other peoples. While American elites may be denationalizing, Americans, the conductors of one comparative survey fittingly concluded, remain "the world's most patriotic people."

Unrepresentative Democracy

GROWING differences between the leaders of major institutions and the public on domestic and foreign policy issues affecting national identity form a major cultural fault line cutting across class, denominational, racial, regional and ethnic distinctions. In a variety of ways, the American establishment, governmental and private, has become increasingly divorced from the American people.

[11] Pippa Norris, ed., *Critical Citizens: Global Support for Democratic Government* (New York: Oxford University Press, 1999), pp. 38–42.

[12] *Washington Post National Weekly Edition*, June 16–20, 1989.

[13] Steve Farkas et al., *A Lot to Be Thankful For: What Parents Want Children to Learn About America* (New York: Public Agenda, 1998), p. 35.

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Politically, America remains a democracy because key public officials are selected through free and fair elections. In many respects, however, it has become an unrepresentative democracy because on crucial issues—especially those involving national identity—its leaders pass laws and implement policies contrary to the views of the American people. Concomitantly, the American people have become increasingly alienated from politics and government.

Apart from business and the military, contemporary American elites in categories such as the media, labor, religion, law and bureaucracy were almost twice to more than three times as liberal as the public as a whole, according to a 1980s survey. Another survey similarly found that on moral issues elites are "consistently more liberal" than rank-and-file Americans.[14] Governmental, nonprofit and communications elites in particular are overwhelmingly liberal in their outlooks. So also are academics. The radical students of the 1960s have become tenured professors, particularly in elite institutions. As Stanley Rothman observes, "Social science faculties at elite universities are overwhelmingly liberal and cosmopolitan or on the Left. Almost any form of civic loyalty or patriotism is considered reactionary."[15] Liberalism tends to go with irreligiosity as well. In a 1969 study by Lipset and Ladd, at least 71 percent of Jewish, Catholic and Protestant academics who identified themselves as liberal also identified themselves as being "basically opposed to religion."

These differences in ideology, nationalism and religion generate differences on domestic and foreign policy issues related to national identity. The public is overwhelmingly concerned with the protection of military security, societal security, the domestic economy and sovereignty. Foreign policy elites are less concerned with these issues and more concerned with U.S. promotion of international security, peace, globalization and the economic development of foreign nations than is the public. There is, as Jack Citrin concludes, a "gulf between elite advocacy of multiculturalism and stubborn mass support of assimilation to a common national identity."[16] The parallel gap between the nationalist public and cosmopolitan elites has its most dramatic impact on the relation between American identity and foreign policy. A 1994 study by Citrin and others concluded that

> the dwindling of consensus about America's international role follows from the waning of agreement on what it means to be an American, on the very character of American nationalism. The domestic underpinnings for the long post-World War II hegemony of cosmopolitan liberalism and internationalism

[14]Russell Dalton, *Citizen Politics: Public Opinion and Political Parties in Advanced Industrial Democracies* (Chatham, NJ: Chatham House, 1996), pp. 275–6; Norris, ed., *Critical Citizens*, pp. 38–42; Tom W. Smith and Lars Jarkko, *National Pride: A Cross-National Analysis* (Chicago: University of Chicago/National Opinion Research Center, GSS Cross National Report, 1998), pp. 3–4.

[15]Everett Carll Ladd, Jr. and Seymour Martin Lipset, *Survey of the Social, Political, and Educational Perspectives of American College and University Faculty* (Washington, DC: National Institute of Education, 1970), pp. 141–6; Ladd and Lipset, *The Divided Academy: Professors and Politics* (New York: McGraw-Hill, 1975), pp. 141–6; Rothman, "Academics on the Left", *Society* (March-April 1986), p. 6; Connecticut Mutual Life Insurance Co., *Report on American Values in the 80's: The Impact of Belief*, (New York: Research & Forecasts, 1986), pp. 27–8.

[16]Citrin, "The End of American Identity?", in Stanley A. Renshon, ed., *One America? Political Leadership, National Identity, and the Dilemmas of Diversity* (Washington, DC: Georgetown University Press, 2001), p. 303.

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have frayed, quite apart from the fact that the United States no longer confronts a powerful military adversary.[17]

The public and elites agree on many foreign policy issues. Yet overall the differences between them far exceed the similarities. The public is nationalist, elites transnationalist. In 1998, for instance, differences from 22 to 42 percent existed between the views of the public and those of a representative group of foreign policy leaders on 34 major foreign policy issues.[18] In six polls from 1978 to 1998, the proportion of foreign policy elites favoring an active U.S. role in the world never dropped below 96 percent; the proportion of the public favoring such a role never rose above 65 percent. With a few exceptions, the public consistently has been much more reluctant than the leaders to use U.S. military force to defend other countries against invasion. On the other hand, the public is more concerned with upheavals closer to home, willing to support an indigenous uprising against Fidel Castro's regime and to use force in Mexico if it were threatened by revolution. A substantial majority of citizens also believe, however, that the United States should not act alone in international crises without support from its allies, as compared to less than half of elites saying it should not do so. Fifty-seven percent of the public have also approved of America taking part "in UN international peacekeeping forces in troubled parts of the world."

The gap between public and elite is especially great on America's economic relations with the rest of the world. In 1998, 87 percent of leaders and 54 percent of the public thought economic globalization was mostly good for America, with 12 percent of the leaders and 35 percent of the public thinking otherwise. Four-fifths of the public but less than half of foreign policy leaders think protecting American jobs should be a "very important goal" of the U.S. government. Fifty percent or more of the public but never more than a third of leaders have supported reducing economic aid to other countries. In various polls, 60 percent or more of the public have backed tariffs; comparable proportions of leaders have favored reducing or eliminating them. Similar differences exist with respect to immigration. In two 1990s polls, 74 percent and 57 percent of the public and 31 percent and 18 percent of foreign policy elites thought large numbers of immigrants were a "critical threat" to the United States.

THESE AND other differences between elites and the public have produced a growing gap between the preferences of the public and policies embodied in federal legislation and regulation. One study of whether changes in public opinion on a wide range of issues were followed by comparable changes in public policy showed a steady decline from the 1970s when there was a 75 percent congruence between public opinion and government policy to 67 percent in 1984–87, 40 percent in 1989–92, and 37 percent in 1993–94. "The evidence, overall", the authors of this study concluded, "points to a persistent pattern since 1980: a generally low and at times declining level of responsiveness to public opinion especially during the first two years of the Clinton presidency." Hence, they said, there is no basis for thinking that Clinton or other political

[17]Citrin et al., "Is American Nationalism Changing?, Implications for Foreign Policy", *International Studies Quarterly* (March 1994), pp. 26–7.

[18]The quadrennial polls of the Chicago Council on Foreign Relations are indispensable sources of the views on foreign policy of both the public and a selected sample of foreign policy leaders. Unless otherwise indicated, the data used here come from these reports.

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leaders were "pandering to the public." "A disturbing gap is growing", one analyst concluded, "between what ordinary Americans believe is the proper role of the United States in world affairs and the views of leaders responsible for making foreign policy."[19] Governmental policy at the end of the 20th century was deviating more and more from the preferences of the American public.

The failure of political leaders to "pander" to the public had predictable consequences. When government policies on many important issues deviate sharply from the views of the public, one would expect the public to lose trust in government, to reduce its interest and participation in politics, and to turn to alternative means of policymaking not controlled by political elites. All three happened in the late 20th century. All three undoubtedly had many causes, which social scientists have explored at length, and one trend—decline in trust—occurred in most industrialized democracies. Yet at least for the United States, it can be assumed that the growing gap between public preferences and government policies contributed to all three trends.

First, public confidence in and trust in government and the major private institutions of American society declined dramatically from the 1960s to the 1990s. As three distinguished scholars have pointed out, on every question asked concerning confidence in their government, roughly two thirds of the public expressed confidence in the 1960s and only about one third in the 1990s. In April 1966, for instance,

> with the Vietnam War raging and race riots in Cleveland, Chicago and Atlanta, 66 percent of Americans *rejected* the view that 'the people running the country don't really care what happens to you.' In December 1997, in the midst of the longest period of peace and prosperity in more than two generations, 57 percent of Americans *endorsed* the same view.[20]

Similar declines occurred during these decades in the degree which the public had confidence in major public and private institutions. Only two non-elected institutions of government, the Supreme Court and the military, saw an increase in the public's confidence.

Second, as many studies have shown, public participation in and interest in the major governmental and private institutions of American society declined fairly consistently from the 1960s to the 1990s. Sixty-three percent of the adult population voted in 1960, but only 49 percent in 1996 and 51 percent in 2000. In addition, as Thomas Patterson observes,

> Since 1960, participation has declined in virtually every area of election activity, from the volunteers who work on campaigns to the viewers who watch televised debates. The United States had 100 million fewer people in 1960 than it did in 2000 but, even so, more viewers tuned in to the October presidential debates in 1960 than did so in 2000.

In the 1970s, one in three taxpayers allocated a dollar from their tax payments to the fund created by Congress to support political campaigns. In 2000, one in eight did so.[21]

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[19]Lawrence R. Jacobs and Robert Y. Shapiro, "Debunking the Pandering Politician Myth", *Public Perspective* (April/May 1997), pp. 3–5; Alan D. Monroe, "Public Opinion and Public Policy, 1980–1993", *Public Opinion Quarterly* (Spring 1998), p. 6; Richard Morin, "A Gap in Worldviews", *Washington Post Weekly Edition*, April 19, 1999, p. 34.

[20]Susan J. Pharr, Robert D. Putnam and Russell J. Dalton, "What's Troubling the Trilateral Democracies", in Susan J. Pharr and Robert D. Putnam, eds., *Disaffected Democracies: What's Troubling the Trilateral Countries?* (Princeton: Princeton University Press, 2000), pp. 9–10.

[21]Thomas E. Patterson, *The Vanishing Voter: Public Involvement in an Age of Uncertainity* (New York: Knopf, 2002), pp. 4–5.

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The third consequence of the gap between leaders and the public was the dramatic proliferation of initiatives on major policy issues, including those relating to national identity. Initiatives had been an instrument of progressive reform before World War I. Their use then declined steadily from fifty per two-year election cycle to twenty in the early 1970s. As legislatures neglected the concerns of their constituents, initiatives dramatically became popular again, beginning in June 1978, when 65 percent of California voters approved Proposition 13, drastically limiting taxes, despite the opposition of virtually all the state's political, business and media establishment. This started a tripling of initiatives to an average of 61 per two-year election cycle from the late 1970s to 1998. Fifty-five initiatives were voted on in 1998, 69 in 2000 and 49 in 2002. Between 1980 and 2002, there were 14 initiative votes in six states on issues concerning American national identity: six opposing bilingualism, six endorsing the use of English or declaring English the state's official language, and two opposing racial preferences. In all of these hotly debated contests, the state political, governmental, academic, media, religious, professional and business elites overwhelmingly opposed the initiative. In all these contests but one, the public approved the initiatives by margins avering 63 percent and going up to 85 percent. David S. Broder concluded in *Democracy Derailed* that "the trust between governors and governed on which representative government depends has been badly depleted."

In today's America, a major gap exists between the nation's elites and the general public over the salience of national identity compared to other identities and over the appropriate role for America in the world. Substantial elite elements are increasingly divorced from their country, and the American public, in turn, is increasingly disillusioned with its government.

America in the World

HOW BOTH America's elites and the rank-and-file define their country determines its role in the world, but how the world views that role also shapes American identity. Three broad concepts exist of America in relation to the rest of the world. Americans can embrace the world—that is, open their country to other peoples and cultures. They can try to reshape other societies in terms of American values and culture. They can strive to maintain their society and culture distinct from those of other peoples.

The first, or cosmopolitan, alternative involves a renewal of the trends dominating pre-September 11 America. America welcomes the world, its ideas, its goods and, most importantly, its people. The ideal would be an open society with open borders, encouraging subnational ethnic, racial and cultural identities, dual citizenship, diasporas, and would be led by elites who increasingly identified with global institutions, norms and rules rather than national ones. America should be multiethnic, multiracial, multicultural. Diversity is a prime value, if not *the* prime value. The more people who bring to America different languages, religions and customs, the more American America becomes. Middle-class Americans would identify increasingly with the global corporations for which they work rather than with the local communities in which they live. The activities of Americans would more and more be governed not by the federal and state governments, but by rules set by international authorities, such as the UN, the WTO, customary international law, and global treaties. National identity loses salience compared to other identities. In this cosmopolitan alternative, the world reshapes America.

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In the imperial alternative, America reshapes the world. The end of the Cold War eliminated communism as the overriding factor shaping America's role in the world. It thus enabled liberals to pursue their foreign policy goals without having to confront the charge that those goals compromised national security and hence to promote "nation building", "humanitarian intervention" and "foreign policy as social work." The emergence of the United States as the world's only superpower had a parallel impact on American conservatives. During the Cold War America's enemies denounced it as an imperial power. At the start of the new millennium conservatives accepted and endorsed the idea of an American empire—whether they embraced the term or not—and the use of American power to reshape the world according to American values.

The imperial impulse was thus fueled by beliefs in the supremacy of American power and the universality of American values. Because America's power far exceeds that of other nations, America has the responsibility to create order and confront evil throughout the world. According to the universalist belief, the people of other societies have basically the same values as Americans, or if they do not have them, they want to have them, or if they do not want to have them, they misjudge what is good for their society, and Americans have the responsibility to persuade them or to induce them to embrace the universal values that America espouses. In such a world America loses its identity as a nation and becomes the dominant component of a supranational empire.

Neither the supremacy assumption nor the universalist assumption, however, accurately reflects the state of the early 21st-century world. America is the only superpower, but there are other major powers: Britain, Germany, France, Russia, China, India and Japan at a global level, and Brazil, Nigeria, Iran, South Africa and Indonesia within their regions. America cannot achieve any significant goal in the world without the cooperation of at least some of these countries. The culture, values, traditions and institutions of the other societies are often not compatible with reconfiguring those societies in terms of American values. Their peoples generally also feel deeply committed to their indigenous ways of life and beliefs and hence fiercely resist efforts to change them by outsiders from alien cultures. In addition, whatever the goals of their elites, the American public has consistently ranked the promotion of democracy abroad as a low-priority goal. The introduction of democracy in other societies also often stimulates anti-American forces, such as populist movements in Latin American states and violent, extremist movements in Muslim countries.

Cosmopolitanism and imperialism attempt to reduce or to eliminate the social, political and cultural differences between America and other societies. A national approach would recognize and accept what distinguishes America from those societies. America cannot become the world and still be America. Other peoples cannot become American and still be themselves. America is different, and that difference is defined in large part by its religious commitment and Anglo-Protestant culture. The alternative to cosmopolitanism and imperialism is nationalism devoted to the preservation and enhancement of those qualities that have defined America from its inception.

FOR ALMOST four centuries, the Anglo-Protestant culture of the founding settlers has been the central and the lasting component of American identity. One has only to ask:

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Would America be the America it is today if in the 17th and 18th centuries it had been settled not by British Protestants but by French, Spanish, or Portuguese Catholics? The answer is no. It would not be America; it would be Quebec, Mexico, or Brazil.

America's Anglo-Protestant culture has combined political and social institutions and practices inherited from England, including most notably the English language, together with the concepts and values of dissenting Protestantism, which faded in England but which the settlers brought with them and which took on new life on the new continent. At the beginning, as Alden T. Vaughan has said,

> almost everything was fundamentally English: the forms of land ownership and cultivation, the system of government and the basic format of laws and legal procedures, the choices of entertainment and leisure-time pursuits, and innumerable other aspects of colonial life.

Arthur Schlesinger, Jr., concurs: "the language of the new nation, its laws, its institutions, its political ideas, its literature, its customs, its precepts, its prayers, primarily derived from Britain."[22]

With adaptations and modifications, this original culture persisted for three hundred years. Two hundred years after John Jay in 1789 identified six central elements Americans had in common, one of these, common ancestry, no longer existed. Several of the five others—language, religion, principles of government, manners and customs, war experience—had been modified or diluted. Yet in their fundamentals Jay's components of American identity, although challenged, still defined American culture in the 20th century. Protestantism has been of primary and continuing importance. With respect to language, the efforts of 18th-century German settlers in Pennsylvania to make German the equal of English infuriated Benjamin Franklin, among others, and did not succeed.[23] At least until the appearance of bilingualism and large concentrations of Spanish-speaking immigrants in Miami and the Southwest, America was unique as a huge country of more than 200 million people virtually all speaking the same language.

During the 19th century and until the late 20th century, immigrants were in various ways compelled, induced, and persuaded to adhere to the central elements of the Anglo-Protestant culture. Contemporary cultural pluralists, multiculturalists, and spokesmen for ethnic and racial minorities testify to the success of these efforts. Southern and Eastern European immigrants, Michael Novak poignantly commented in 1977, were pressured to become "American" by adapting to Anglo-American culture: Americanization "was a process of vast psychic repression." In similar language, Will Kymlicka in 1995 argued that prior to the 1960s, immigrants "were expected to shed their distinctive heritage and assimilate entirely to existing cultural norms", which he labeled the "Anglo-conformity model."[24]

These critics are right. Throughout American history, people who were not white Anglo-Saxon Protestants have

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[22]Vaughan, "Seventeenth Century Origins of American Culture", in Stanley Coben and Lorman Ratner, eds., *The Development of an American Culture* (New York: St. Martin's Press, 1983), pp. 30–2; Arthur M. Schlesinger, Jr., *The Disuniting of America* (New York: Norton, 1998), p. 34.

[23]James A. Morone, "The Struggle for American Culture", *PS: Political Science & Politics* (September 1996), pp. 428–9; John Higham, *Send These to Me: Jews and Other Immigrants in Urban America* (New York: Atheneum, 1975), p. 180.

[24]Michael Novak, *Further Reflections on Ethnicity* (Middletown, PA: Jednota Press, 1977), p. 26; Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (New York: Oxford University Press, 1995), p. 14.

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become Americans by adopting its Anglo-Protestant culture and political values. This benefited them and the country.

Millions of immigrants and their children achieved wealth, power and status in American society precisely because they assimilated themselves into the prevailing American culture. Hence there is no validity to the claim that Americans have to choose between a white, racist, WASP-ish ethnic identity, on the one hand, and an abstract, shallow civic identity dependent on commitment to certain political principles, on the other. The core of their identity is the culture that the settlers created, which generations of immigrants have absorbed, and which gave birth to the American Creed. At the heart of that culture has been Protestantism.

Religiosity distinguishes America from most other Western societies. Americans are also overwhelmingly Christian, which distinguishes them from many non-Western peoples. Their religiosity leads Americans to see the world in terms of good and evil to a much greater extent than most other peoples. The leaders of other societies often find this religiosity not only extraordinary but also exasperating for the deep moralism it engenders in the consideration of political, economic and social issues.

Religion and nationalism have gone hand in hand in the history of the West. As the historian Adrian Hastings has shown, the former often defined the content of the latter: "Every ethnicity is shaped significantly by religion just as it is by language. . . . [In Europe,] Christianity has shaped national formation."[25] The connection between religion and nationalism was alive and well at the end of the 20th century. Those countries that are more religious tend to be more nationalist. A survey of 41 countries found that those societies in which more people gave a "high" rating to the importance of God in their life were also those in which more people were "very proud" of their country.[26]

Within countries, individuals who are more religious also tend to be more nationalist. A 1983 survey of 15, mostly European, countries found that "in every country surveyed, those who said they were not religious are less likely to be proud of their country." On average, the difference is 11 percent. Most European peoples rank low in their belief in God and their pride in country. America ranks with Ireland and Poland, close to the top on both dimensions. Catholicism is essential to Irish and Polish national identity. The dissenting Protestant heritage is central to America's. Americans are overwhelmingly committed to both God and country and see them as inseparable. In a world in which religion shapes the allegiances, the alliances and the antagonisms of people on every continent, it should not be surprising if Americans again turn to religion to find their national identity and their national purpose.

Significant elements of American elites are favorably disposed to America becoming a cosmopolitan society. Other elites wish it to assume an imperial role. The overwhelming bulk of the American people are committed to a national alternative and to preserving and strengthening the American identity of centuries.

America becomes the world. The world becomes America. America remains America. Cosmopolitan? Imperial? National? The choices Americans make will shape their future as a nation and the future of the world. □

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[25] Hastings, *The Construction of Nationhood: Ethnicity, Religion, and Nationalism* (New York: Cambridge University Press, 1997), pp. 185–7, 205.

[26] Ronald Inglehart and Marita Caballo, "Does Latin America Exist?", *PS: Political Science and Politics* (March 1997), p. 38.

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Goodbye to Berlin?

Germany Looks Askance at Red State America

Walter Russell Mead

THE RECENT storms in American-German relations illuminate two basic truths. First, a solid and stable relationship between America and Germany remains, as it has for more than half a century, the indispensable precondition for progress toward European integration. Second, the area now causing the greatest disputes between Germany and the United States—the Middle East—is the area in which the two countries have major interests in common, and where both stand to gain the most by finding their way to a cooperative path. There is a third truth, that in Washington German frustration over its lack of influence in American policymaking represents a threat to U.S.-German relations that both Americans and Germans must address.

German leaders used to be among the most respected world figures in the United States. From the final resignation of Winston Churchill to the arrival of Margaret Thatcher, German leaders and diplomats were consistently more respected and frequently more listened to in Washington than their (admittedly mostly mediocre) British counterparts. Yet, since unification, Germany's standing in Washington has fallen, and recent transatlantic spats over the Kyoto Protocol, the International Criminal Court (ICC) and Iraq have not helped matters.

Germany's problems today in influencing America can be reduced to the following conclusion: key "Red State" or "American Revivalist" policymakers think Germany's advice is mostly bad, and so want to take as little of it as possible.[1] They will only take German advice when the benefits of German cooperation or the costs of German obstruction are greater than the perceived cost of doing what Germany wants.

These conditions are only rarely met. American Revivalists place a low value both on Germany's potential to help the United States or to obstruct American initiatives by non-participation or resistance. Since 1989 and the end of Europe's special status as the strategic focus of

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[1] "Red State" refers to those parts of the United States where there was strong electoral support for Ronald Reagan and which were won by George W. Bush in the 2000 election. "American Revivalists" include both the Jacksonian popular nationalists and the neoconservatives who have heavily influenced American foreign policy since September 11.

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American foreign policy, several factors have combined to produce a gradual reduction in Germany's perceived importance to the United States. Therefore, it is a relatively unusual event for Washington to defer to Germany or to make a major compromise with it on an important international issue.

Many have thought that the most effective way to change Washington's disposition is to change our opinion about either the benefits of German cooperation or the costs of German (and European) opposition. This is partly why many Germans have placed such importance on the centralization of European foreign policymaking: they hope that a centralized Europe will be seen in Washington as a larger and more important actor with greater impact to affect U.S. goals for good or for ill.

The American Revival analysis, however, believes that divisive European politics will continue to make the EU an inept and weak power even if constitutional reform creates a new, vigorous continental foreign minister. European nations will continue to undercut or resist the common policy on many issues. The option of a "two speed" Europe with an inner core of countries might create more rapid movement, but to the extent that this inner core includes only France, Germany and a sprinkling of smaller countries, American Revivalists do not fear its weight in the world. For American Revivalists the calculation is simple: a smaller Europe could develop common institutions and common policies, but this small core could not seriously challenge American interests. A 25 or thirty member European Union might have the weight to counterbalance the United States, but is extremely unlikely to develop enough political and institutional cohesion to challenge the United States on anything other than trade issues.

So, the most hopeful way to change the melancholy state of German influence in Washington is to improve the perceived value of German counsel. If American policymakers respected German statesmanship more, they would treat German policy advice with more respect. They would do this whether Europe was united or disunited, weak or strong, rich or poor.

But this cannot come about by "converting" Americans to a European or German point of view about history, morality, legality or the optimal world order. It is no more likely that George Bush will renounce his faith than that Gerhard Schröder will seek baptism at the hands of Billy Graham. Yet Konrad Adenauer did not have to become "an American" in order for his advice to be taken seriously by American policymakers. Statesmen like Adenauer and Helmut Schmidt—who both knew very well how to say "No" to the United States—commanded enormous respect in Washington. They were able to influence Americans not because they overawed them or bribed them. They have done it by their powers of communication and attraction—their soft power, as it were.

Americans cannot be kicked into submission. But we are easily kissed into bed.

It may seem strange counsel coming from an American in the Age of Bush, but Europe's chief problem in the United States today results from a failure of European soft power. Europe beats the broad back of American power with the sticks that it has—mostly, its trade power—but somehow that does not move the behemoth more than a few halting steps. It abuses the United States for its boorishness and its weak grasp of the fine points of international co-existence—but this somehow does not move the beast either.

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That is why I am taking the risk of revealing the most important secret of dealing with Americans: We cannot be kicked into submission, but we are easily kissed into bed. Even those who affect to despise soft power are easily ensorcelled by its charms.

Dueling Realisms

GERMANY and the United States are divided by very real cultural issues. Germans and other Europeans often fail to understand that most Americans are largely satisfied with the underpinnings of their strategic approach to the world. They are not about to change an approach that is grounded in American folk values, that has stood the test of time and that has brought the United States great power and success while, most Americans feel, defending ideals and values of great value not only to ourselves but to all humanity. In the view of the Red States, fascism and communism both originated in Europe and flourished worldwide because Europeans supported them—and they died in large part because Americans fought them at great cost in treasure and blood. For the Red States, case closed. There is nothing more to be said.

The social and international peace that contemporary Europeans see as their proudest achievement strikes this kind of American as the quiet of the grave—or, at least, the peace that comes with utter exhaustion. Europe has stopped warring with itself not because it has reached a plateau of spiritual enlightenment, but because it no longer has the vitality to live even biologically, much less to fight. Red State Americans believe that while the European project is not failing in any immediate or short-term perspective, overall, Europe has not yet laid the foundations for real success or influence in the world.

Many Red State Americans, moreover, believe that Germany has not found an effective foreign policy stance or identity since 1989. They consider unification to have been botched, permanently weakening Germany's fiscal foundations and significantly reducing the resources that Germany could bring either to underpin European integration or support initiatives elsewhere in the world. It has led to a progressive loss of faith in Germany's ability to deal with its own problems and, therefore, to a loss of faith in Germany's ability to bring much insight to broader world affairs.[2]

Germany's unilateral decision to recognize Croatia in 1991 remains notorious among American analysts as the immediate cause of the Balkan wars and one of the great blunders of the post-Cold War era. Germany's record in triggering these wars by its ill-judged unilateral action, and its subsequent failure to manage the situation in partnership with its European allies, created one grave crisis after another for the Clinton Administration and the aftertaste in American mouths of the whole experience is still very bitter.

Germany's role in the evolution of European institutions during the last decade has also not enhanced its image in the United States. The stability pact that Germany forced on its partners in creating the common currency appeared from the beginning to be a colossal blunder on economic policy grounds as seen through American eyes. The vehemence and rigidity with which the German government imposed this foolish and unworkable straitjacket on its partners also attracted unfavorable notice. Germany was wrong to impose it—and also wrong to destroy it the way that it did. The impression of rigidity and self-righteousness conveyed throughout these changing stands dam-

[2]The economic consequences of this were discussed in Adam Posen's "Frog in the Pot: Germany's Path to the Japan Syndrome", *The National Interest*, Spring 2003.

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aged Germany's reputation in the United States—even though American opinion was sympathetic to the argument that without some agreed framework, irresponsible spending by eurozone countries presented a serious moral hazard. Yet the inability or unwillingness of German diplomacy to find less destructive ways to pursue reasonable goals sent quiet shockwaves through the American foreign policy world.

Red State Americans and Germans see Europe in very different ways. The expectation in Europe is that Europe—with Germany at its core—is a rising power in the world. Integration and coordination have overcome the divisions that crippled Europe throughout the 20th century. Europe can now resume the place in the world from which its wars and divisions temporarily blocked it. Its economic might and soft power is so great that no state, not even the United States, can ignore it, and Europe's only real equal in the 21st century will be the United States.

Most Americans are less sanguine about Europe's prospects, and for Red State analysts, the outlook is very different. They point to slow progress at overcoming structural barriers to growth, projected demographic declines, evident lack of public support for adequate defense spending, the failure to assimilate immigrants in most European countries, and they do not think that they are looking at the emergence of a superpower. They see continuing crises of governance in European institutions. Meanwhile, they look at demographic and economic projections from European and global sources that predict continuing declines in Europe's shares both of world population and world economic activity through at least 2050 and they conclude that further consolidation will at best slow Europe's historic decline. From this perspective, European integration looks more like a group of passengers huddling ever more closely together on the deck of a sinking ship than like an emerging superpower.

It is, obviously, impossible today to say who is right—only time will tell whether the ship of Europe is rising or sinking. But the conviction in Washington that European integration at best can slow the long decline of Europe in world affairs shapes Washington's approach to a great many world issues—just as Europe's faith in its recovery and emancipation informs the expectations that Europe brings to negotiations with Washington.

THESE different perceptions lead the two sides to very different assessments of what is due to the other. While European observers attribute the Bush Administration's diminished appetite for consultation and shared decision making with Europe to a perverse moral preference for unilateralism, the Administration's record in Asia and with Russia suggests an even more unsettling explanation. American relations with both China and Japan have rarely been better; the Bush Administration has managed its relationship with Russia with some care. The delicate balancing act required to manage simultaneously relations with Pakistan and India has been carried out reasonably well. The conclusion seems sadly evident that the Bush Administration is pragmatic rather than doctrinal when it comes to multilateral and unilateral options. It has proceeded without closer consultation with Germany and France because it has simply concluded that Germany and France demand more attention and consultation than their support is worth.

Not everyone in the United States shares this harsh perception in the full, undiluted form in which it is proclaimed in the Pentagon. However, the Bush Administration is not alone in the perception that Europe (or at least the Franco-

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German axis) asks too much and offers too little. "Europe" wants real political control over vital matters of American foreign policy in exchange for kind words at the UN, mostly symbolic military support and limited financial aid. For Bush, the price is simply too high. He chooses not to pay.

Here it is important to elucidate another factor guiding this thinking. While these Americans do understand that Europe *could* provide a great deal of help for American goals in the Middle East, they do not think that it realistically *will*. A combination of different interests, a certain sterility which Americans think is inherent in the Franco-German partnership, and a lack of assets will combine to ensure that, even if America and Europe had a better consensus on the Middle East, Europe's help would not be great enough to justify the high political price that Europe demands in exchange. It is even likely that many Red State Americans are quietly thankful that there is no significant French presence in Iraq.

The peace that Europeans see as their proudest achievment strikes some Americans as the quiet of the grave.

From the American perspective, Europeans seem to demand a veto over American actions abroad, but Europe does not offer the United States a reciprocal veto over Europe's policy agenda. That is, either alone or together, France or Germany must be able to block a U.S. action like the invasion of Iraq, but the United States has no business blocking a European initiative like the Kyoto Protocol or the ICC. Indeed, to judge by what Europeans often say, the United States not only has no right to veto the establishment by Europeans of such institutions: it has no legitimate right of abstention from institutions which Europe in its wisdom has decreed for the world.

If the price of a good relationship with Europe is the acceptance of a non-reciprocal European veto over American actions, no American president will ever accept it. France and Germany would have to defeat the United States in a war to impose a veto—and even then, the United States would not rest until it had freed itself from this unequal relationship. Europeans must either drop their demand for the non-reciprocal veto, change the way Americans perceive the nature of this proposed basis for the relationship, or accept a basic, permanent frustration and unhappiness resulting from America's unshakeable refusal to engage on these terms.

Germans often do not appreciate that Europe's stance on these issues has changed over the decades. Following Woodrow Wilson's failure to get the Treaty of Versailles ratified in the U.S. Senate, Europeans developed great sensitivity to the need to shape international institutions and treaties in ways that would take the views of Red State solons into account. NATO's founding treaties are a classic example. It became clear that the Senate would reject any version of these treaties that created an automatic guarantee that the United States would fight if any power invaded the territory of the NATO allies. The U.S. Constitution reserves the right to declare war to the Congress; the Senate refused to give up this power. Europe was eager enough to form the alliance that a compromise was found; NATO allies are now merely bound to follow their constitutional procedures to determine their response in case of attack. Breathtaking in theory, this concession has had little impact on NATO security; one of the main reasons for stationing American troops on the Cold War front line was to ensure that Americans would be among the first casualties of any invasion. An attack on U.S. troops would essentially guarantee

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that Congress would declare war. A similar ingenuity would have developed a version of the ICC which would have achieved virtually all that its supporters might have wished in practical terms—and in a form that the American Senate could have ratified. In the 1950s, Europe was willing to make these compromises. Today, it is not. I am not sure whether Europeans have fully thought this matter through or whether they have stumbled into their current position through sheer inattention.

If Europeans do not appreciate how unrealistic the non-reciprocal veto approach to the relationship appears from the Red State perspective, they probably also do not realize how this position affects their reputation for clear reasoning and straight thinking among many Americans. The non-reciprocal European veto appears somewhat deranged from the American side, suggesting either that Europeans have a completely swollen and disproportionate idea of their power and importance or that their approach to international politics is careless, unsophisticated and based on illusions and wishful thinking. It powerfully reinforces what is already too strong a view in the United States—that Europeans are children playing in the post-historical sandbox that Europe has become under American security guarantees. They must sometimes be humored but must never be mistaken for responsible, thoughtful adult partners when matters of life and death must be decided.

In calm times, as in the Clinton years, Washington could afford for the sake of a quiet life to palm Europe off with sweet words—to humor the fretful children. The Kyoto Protocol was defeated 95–0 in the Senate, but the Clinton Administration assured Europeans that the process was still alive. The Comprehensive Test Ban Treaty could not be ratified, but the Administration would continue to observe it. The ICC treaty was in a form that the U.S. Senate would not ratify in a thousand years, but President Clinton could make the empty gesture of signing an agreement that would never be ratified.

Even before September 11, the Bush Administration seems to have decided that in the long run, the maintenance of this charade only stoked what it considered Europe's exaggerated sense of self-importance and created additional expectations of compliance that the United States could never fulfill. It decided to treat the Franco-Germans in accordance with what it considered to be their real weight in the world—and to take the consequences if France and/or Germany refused to accept this approach. At the moment, Bush shows no signs of regretting this decision.

Cherchez La France

THE GROWING estrangement between the United States and France places Germany in a difficult position. One unhappy result of the Iraq crisis is that the United States now largely considers France a determined and open opponent. Many Americans believe that France has defined excessive American power in the world as the greatest danger to French independence and great power status and that France has made a strategic choice to curb that excessive strength. If this perception proves correct and becomes entrenched over time, the entire framework of the transatlantic relationship will have to be rethought, and German foreign policy will be subjected to a whole series of painful shocks and upheavals.

Already, this deep and envenomed suspicion of France is changing America's historic approach to the European Union. In a sense, the Monroe Doctrine has been extended to Europe. The United States

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now appears ready to reassume the traditional Anglo-Saxon role of defending the "liberties of Europe" to ensure that no combination of powerful European states can dictate to smaller and weaker ones. Specifically, a significant current of opinion in the United States no longer trusts the Franco-German axis to carry out the complex and delicate task of European integration with the requisite sensitivity and flexibility.

Essentially, this feeling reflects a lack of confidence in Germany's ability (and, perhaps, inclination) to manage France. The American perception, partly rooted in the views described earlier that the Berlin Republic has yet to find its proper footing in world affairs, remains that France has consistently outmaneuvered and outclassed its German partners. The German sea-anchor is unable to keep the French frigate from drifting into dangerous waters.

This vision of German weakness and diplomatic inadequacy seems to be one of the few points of intellectual agreement between Paris and Washington today. Indeed, the precondition of France's daring European and global diplomacy in recent months is probably a conviction that France no longer has to worry that a united Germany will emerge as the natural and inevitable leader of a united Europe. There is a new confidence in Paris that the new Germany is more manageable than the old one. Should Germany master European diplomacy and once again look like a strong and rising power capable of leading the reshaping of Europe, France would, as it has done in the past, look to repair its Atlantic links. In the meantime, the progressive passing of initiative in the Franco-German relationship from Germany to France in recent years is an additional factor that undermines American confidence in Germany's ability to provide useful and helpful policy guidance.

Restoring the Relationship

IF WE RULE out a mass conversion in the Red States to European values—or unprecedented success for the next Billy Graham evangelization crusades in Germany—and if we assume that, because the present situation is more painful to Germany than to Red State America, Germany will, in its own interests, need to act more forcefully to change the situation, we are left with three major avenues for action.

First and foremost, German diplomacy must, once again, become steadier, more strategic and more magisterial, allowing American policymakers to regain once again their old respect for German views. This is above all a matter of German diplomacy in Europe and has little or nothing to do with Germany becoming more pliant to American wishes or embracing American ideas about the use of force. Germany has lost its relatively sure touch in Europe and needs to recover it. For reasons that have nothing to do with the current problems in Franco-American relations, this has a great deal to do with curbing certain French tendencies and predilections in Europe. Germany's historic task is to integrate France into Europe, not to abandon European integration for France's sake.

Germany is not a normal European country, and if it pursues its short term national interest in an erratic and domineering way it will wreak enormous damage to its broader interests as well as to the esteem it commands on the Potomac. But the alternative is not a weaker or less assertive Germany; it is a Germany that knows how to assert and increase its strength through service to the common European project.

The irony is not lost on me that this is precisely the kind of criticism that many Germans make of the Bush Administration in the context of global institutions. I merely note that these crit-

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icisms would be received with more interest and respect if the German house were in better order. As it is, Germany often looks to Americans like a country which throws its weight around on a small scale, only to demand that the United States treat Germany with a respect that Germany itself denies its smaller partners.

In any case, to the degree that Germany succeeds in regaining the European high ground, it will command spontaneous respect even in Red State America as a serious and important partner whose views are well worth taking into account.

The American perception remains that France has consistently outclassed its German partners.

Second, there are the problems of the Greater Middle East. From an American perspective, the future of Washington-Brussels cooperation (and, therefore, of Washington-Berlin relations) depends to a very large degree on the extent to which the U.S. and Europe can develop a common agenda and a common project in this vital region.

It is not surprising that this topic was so prominent in the February 2004 White House summit between Bush and Schröder. But the Bush-Schröder dialogue is only the beginning of a much broader process. A deep conversation about the Middle East needs to be undertaken—less by people in government than by what remains, thankfully, a rich and committed group on both sides of the Atlantic who passionately believe that both Germany and the United States would benefit from a common approach. There are a host of issues, including Israel-Palestine, terrorism, reform in the Arab world and others where U.S.-German discussions, perhaps with others from the Atlantic community, could develop to the point that even Red State policymakers could become more excited about the real gains from cooperation and agreement. This would increase the enthusiasm and commitment with which both governments would look for compromises on points of difficulty in order to get on with a positive common program that deals with serious issues. Even the most doctrinally pure Red State Americans have their pragmatic side; to the degree that Germans can help identify and implement real and practical solutions to real problems in the Middle East, Germany's impact on American policymaking will increase. (The recent German-led approach to Iran which President Bush went out of his way to praise at his press conference following Saddam Hussein's capture is a case in point.)

There is a real prospect that serious engagement on these points could lead to a joint agenda on at least some of the contentious and vital Middle East issues. Take the Israeli-Palestinian conflict, for example. Germany and the United States agree on the nature and outline of the territorial and political solution. Currently, however, there is less than consensus on how to get there. From the American perspective it seems that while certain Israeli policies are an unnecessary irritant to be deplored, the real obstacle to further progress is the lack of consensus on the Palestinian side to accept the kind of settlement that Barak proposed in 2000–1. In this view, hardliners dominate Israeli politics only when it has become clear that the Palestinian leadership is unwilling or unable to accept a compromise; if the Palestinians were sincerely ready for this kind of peace, Israeli public opinion would quickly produce a government that would respond. Sharon-style policy is a symptom and sometimes makes a bad situation worse, but the real problem is on the Palestinian side.

Germans argue that while there is some truth to this, moderate Palestinians will only be in a position to win broad support for the painful compromises necessary

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for peace if the Israelis stop inflaming Palestinian opinion. Furthermore, Germans suspect, not without reason, that factions in Israeli politics opposed to the two state solution deliberately push provocative policies in the hope of preventing peace. From this standpoint, Israeli intransigence is the chief obstacle to peace, while Palestinian intransigence, though real, is in large part a byproduct of Israeli policy. While experts in both Germany and the United States have more nuanced views than those sketched here, the general difference in emphasis is an important one, and has helped turn the Middle East into a contentious issue between Germany and the United States even as the two countries collaborate from time to time.

A deeper conversation might find more points of contact even if both sides remain more or less attached to their current diagnoses. Both Americans and Germans can agree that the miserable human conditions facing Palestinians, now and even after a compromise two-state agreement, will remain a major obstacle to peace and stability in the region. The lack of enthusiasm on the "Palestinian street" for a Barak-style compromise reflects the lack of concrete provisions either for a right of return, compensation for lost property, or real assurances that a Palestinian state on the West Bank and Gaza will have the economic base necessary to meet the needs of its citizens. The Oslo process produced what is, among experts and most leaders, a reasonably clear vision of the territorial solution. What does not yet really exist is a vision of the human solution for Palestinians. Who will live in the new state? What will happen to those it cannot absorb? What happens to those who now depend on refugee agencies for the necessities of life once there is peace and they are no longer refugees? Compensation for refugees is clearly called for in the relevant United Nations resolutions. How will the amounts be determined, where will the money to pay these claims come from, and what is the procedure for making a claim and receiving compensation?

Providing real answers for these questions is a vital part of advancing the peace agenda whether one shares American or German assumptions about the relative importance of Arab and Israeli obstacles to the peace process. Supporting this agenda is pro-Palestinian and pro-peace, but it is not anti-Israeli. It does not depend on concessions from either side, and it is something that terrorists and extremists cannot interrupt. Working on this agenda together is a way that Germans and Americans can move toward common goals while respecting the independence and points of view of both parties.

Third, a new conversation between Americans and Germans about the future of Europe is also important. There has been a serious breakdown of trust on both sides. Germans have questions about whether and to what extent the United States still supports European integration; Americans need to be reassured that the European project is not being hijacked and converted into an instrument of national power by its two largest members.

Both sides need to think through their understanding of the future place of Europe in world affairs.

Both sides need to think through their understanding of the future place of Europe in world affairs. This cannot be exclusively a U.S.-German conversation, but a vital U.S.-German conversation must be a central part of it. Does Europe really want to be a world power? What (if anything) do Europeans mean by the oft-repeated cry that Europe should be an "equal partner" in the transatlantic alliance? To Americans, this makes sense in the context of a narrowly focused alliance agenda—when the alliance is focused exclusively on defending Europe itself from foreign foes. When it comes to the

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defense of Europe itself, greater parity for the two partners, accompanied by greater European spending on defense, is something that Washington has welcomed and will continue to welcome.

But sometimes we get the impression that Europeans who speak of this have in mind some vague concept of a joint Euro-American global condominium, in which Europe and America jointly set an international, economic and institutional agenda to the rest of the world. The United States can never accept this model. In fact, as Asia continues to grow more rapidly and become more important, the United States is likely to support Asian efforts to revise the balance of strength in institutions ranging from the Security Council to the IMF and the G-7 in ways that generally will reduce Europe's historic profile. The United States is a global power; without radical changes that seem unlikely, Europe will remain a strong regional power with significant extra-regional interests. A global power must deal with its regional partners on a basis that accords them equality with each other rather than with itself, and if Europe expects anything else, it will find continuing disappointment. Can we find ways of thinking these issues through together, or should we work together to minimize the impact of any mutual unhappiness on this issue on other aspects of the relationship?

FOR AMERICA, which never has thought of itself as a normal country and does not want to begin now, part of its historic and psychological bond with the Bonn Republic was that both countries saw themselves as following a difficult and challenging vocation that transcended foreign policy as it was traditionally understood. Both were trying to construct international structures (one global, one in Europe) that at least to some degree replaced the old rules of power politics with new and more stable ones. Both had to make painful tradeoffs; both had the difficult duty of basing foreign policy intended to serve a wider, transnational community on public opinion in a national democracy.

It was in large part because they faced common and complementary international tasks that the two countries communicated so well and on so many levels. This common experience was a major factor in the great weight which Washington attached to Bonn's views. The feeling in Washington was that Germans understood us better than most others—inside and outside Europe—and because of this, Americans had more to learn from Germany than from other states.

Even as the United States reconsiders the place of institutional structures and of Europe in the global edifice, it remains committed to a global policy that aims at more than hard power projection. President Bush is as committed to a transcendental, transformational foreign policy as any of his predecessors since Franklin D. Roosevelt. Germany's choices today do not seem as different from Bush's as much rhetoric on both sides would have it. Germany remains committed to large and wide goals in both Europe and the wider world, but it has decided to pursue its European agenda making a fuller use of strictly national instruments of power.

Possibly, we could reignite the discussion and rebuild the community of strategic thinking among Germans and Americans on this highest level of statesmanship—even without resolving all the moral and cultural differences between us. This is a more difficult and challenging discussion. But once achieved, it would lead to the greatest rewards. If we managed this, German policymakers would once again find themselves insiders in Washington debates in a way that few could match and many would envy. □

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The Sources of Russian Conduct

Nikolas K. Gvosdev

THE POLITICAL personality of Russian power today is the product both of ideology and circumstances. George Kennan's observations, made nearly sixty years ago, are just as valid today when considering Vladimir Putin's Russia.

Too often, outside observers have first created their image of Russia, and then located the appropriate facts and personalities to support their construction. To get Russia right, we must seek to understand it as it understands itself, not as we might wish it to be.

During the 1990s, we underestimated Russia's vices in order to maintain the fiction that a post-Soviet Russia under Boris Yeltsin was firmly on the path to Western-style liberal democracy and free-market economics. As Russia moved further away from its Soviet past, the assumption ran, so its interests would converge with those of the United States. The desire to anoint Russia as a liberal ally of the West covered over a multitude of sins, most notably the rampant corruption that continues to devastate the Russian economy.

Today, we underestimate Russia's virtues to depict the country as a neo-Stalinist, authoritarian dictatorship bent on subverting freedoms at home and recreating its empire abroad. Russia is no longer seen as a partner to be engaged, but an emerging threat that needs to be contained. Jackson Diehl of the *Washington Post* concludes that we are witnessing "the consolidation of KGB-style authoritarianism" in Russia, while Senator John McCain accuses President Putin of mounting a "creeping coup against the forces of democracy and market capitalism." Yet renewing the Cold War image of Russia as an evil empire precludes the development of a genuine partnership based on shared vital interests.

Both of these positions miss the numerous complexities of post-Soviet Russia. Contemporary Russia is a state that "completely mixes, functionally and territorially, important democratic and authoritarian characteristics."[1] It can desire close and meaningful relations with the West, particularly the United States, yet strive to maintain its influence, especially in its immediate Eurasian neighborhood. So, a realistic evaluation of what Putin and his regime stand for is needed—as is an explanation of why the course

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[1]To borrow Guillermo O'Donnell's description of Latin America in *On the State, Democratization, and Some Conceptual Problems (A Latin American View with Glances at Some Post Communist Countries)*, Working Paper 192 (Notre Dame, IN: Helen Kellogg Institute for International Studies, 1993), pp. 10–1.

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that is being set for Russia enjoys such overwhelming domestic support.

Stolypin, Not Stalin

IT IS DIFFICULT to summarize the set of ideological concepts that guide Putin and his team—"Putinism" remains a work in progress. Nevertheless, from the inception of his administration, he and his team have sought

> to replace the disorder of the Yeltsin period with order and stability. A primary component of Putin's policy of strengthening vertical power in Russia is the reeling in of the power of the oligarchs and local bosses.[2]

This platform has won Putin a great deal of support, especially among the emerging small business community, which looks to a strong central government for security against both the oligarchs and power-hungry local politicians.

And it is clear that Putin has no desire to create a democracy for democracy's sake, especially if the result is an economically weak, politically impotent entity. Russians have no interest in becoming another "El Salvador and Jamaica . . . two excellent examples of relatively poor but inclusive societies with above-average social welfare"[3] but scant influence in the world.

Yet the rejuvenated Russian state the Putin team has in mind has more in common with the late-tsarist era conservative reformer Peter Stolypin (prime minister, 1906–11) than with Joseph Stalin. After the chaos unleashed by the 1905 Revolution, Stolypin emphasized political stability with an eye to promoting rapid economic growth. A dynamic market economy and modernized, efficient institutions would enable the Russian state to exercise power in the world, he argued, especially after the defeat of the Russo-Japanese war.

Stolypin, who as a regional governor freely employed harsh tactics to crush revolutionary unrest, nonetheless recognized that the command methods of the autocracy were not capable of generating the economic and social development Russia needed to advance. Some degree of political and economic pluralism was necessary and needed to be accommodated. Stolypin's most famous reform plan was to break up the traditional Russian peasant commune in favor of individually-owned farms, in an attempt to create a new middle class supportive of his policies. His manipulation of electoral laws kept many radical democratic elements out of the Third and Fourth Dumas but also transformed the fledgling legislature from a pulpit for revolutionary orators into a working parliament. Many Russians today believe that if Stolypin's reforms had not been interrupted by his assassination and the onset of World War I, he would have transformed the Russian Empire into a modern state with social and political institutions comparable to those found in Western societies.

It is not accidental that Stolypin's motto, "You want great upheavals, but we want a Great Russia", has been resurrected as a slogan of the United Russia party. I suspect that another Stolypin truism, "First establish order, then start the reforms" would resonate very strongly with the current Kremlin.

Managed Pluralism

LIKE STOLYPIN, Putin wants a regime that, while ensuring political stability, will promote economic growth. Yet the Putin team grapples with a paradox: while recogniz-

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[2]Christopher Marsh, *Russia at the Polls*, (Washington, DC: CQ Press, 2002), p. 1.

[3]Bruce Bueno de Mesquita and Hilton L. Root, "The Political Roots of Poverty", *The National Interest* (Summer 2002), p. 33.

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ing the immense value created by a pluralistic, competitive society, it fears that unrestrained pluralism—especially in the absence of strong, mediating institutions—will be destructive for Russia. In December 1999, Putin declared that "Russia has had more than its fair share of political and socioeconomic convulsions."

His administration believes that Russia can best avoid further destructive convulsions by a system "where state and public principles are not antagonists."[4] Franz Klintsevich, deputy chair of United Russia's fraction in the Duma, concluded recently: "We seek a broad alliance between the authorities and society to achieve a goal that everyone understands, which is to ensure decent living standards in Russia and make people again be proud about their Motherland."[5]

Putinism or neo-Stolypinism does not subscribe to the notion that Kennan identified as an institutional and psychological foundation of the Stalinist system, that "no opposition . . . can be officially recognized as having any merit or justification whatsoever." And the Russian government does not have absolute freedom to set the agenda. The Putin Administration must contend with "domestic interest groups and constituencies" in crafting policies.[6]

What emerges is what I have termed "managed pluralism." In such a system, there is some room for competition and choice but the central authority consciously regulates the available social, political and economic options by design, with an eye to preserving stability or consensus.[7] In Russia, most of the organizations of civil society—from media outlets to religious organizations—rely on either the state directly for funding or private corporations that are sensitive to the regime's concerns. (This prompted the noted Russian journalist Vladimir Pozner in January 2002 to observe, "Do not think about your independence if you are not economically solvent.")

In the political realm, there are elections, political alternatives and the opportunity to replace leaders. However, the state plays a role in controlling the number of groups allowed access to the public square, as well as delineating the limits of debate and deviation from the social norm. The system, therefore, is democratic—but only to a point. The Kremlin has not been shy to use "administrative resources" to "place impediments in the path of opposition candidates"[8]—as the

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[4]Comments of the governor of the Penza region and a Putin ally, Vasily Bochkarev, as cited in Nikolas K. Gvosdev, "'Managed Pluralism' and Civil Religion in Post-Soviet Russia", *Civil Society and the Search for Justice in Russia*, Christopher Marsh and Nikolas K. Gvosdev, eds. (Lanham, MD: Lexington Press, 2002), p. 75.

[5]Quoted in Nikolay Krivous, "We Are Not Going to Create Another CPSU", *Rossiyskaya Gazeta*, October 26, 2001.

[6]Paul J. Saunders, "The U.S.-Russia Relationship After the Iraq War", *Russia in the National Interest*, Nikolas K. Gvosdev, ed. (New Brunswick, NJ: Transaction Press, 2004), p. 263.

[7]See Nikolas K. Gvosdev, "Tolerance Versus Pluralism: The Eurasian Dilemma", *Analysis of Current Events* (December 2000); "Managing Pluralism: The Human Rights Challenge of the New Century", *World Policy Journal* (Winter 2001/02); and "Constitutional Doublethink, Managed Pluralism, and Freedom of Religion", *Religion, State, and Society*, no. 2 (2001). I would argue that my conception of "managed pluralism" would correspond with Thomas Carothers's "dominent-power" system, where there is "limited but still real political space, some political contestation by opposition groups, and at least most of the basic institutional forms of democracy." Carothers, "The End of the Transition Paradigm", *Journal of Democracy* (January 2002), pp. 11–2.

[8]See Marsh, *Russia at the Polls*, especially pp. 101-19 and 137–8. This ranges from manipulation of the media to marshalling civil servants to canvass in favor of pro-government candidates and the use of fraud to massage final tallies.

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December 2003 parliamentary and the March 2004 presidential elections made clear. Yet, when evaluating the parliamentary poll, it is important to recall that more than half of the members of the Duma were replaced. Opinion polls confirm that the election results, however unwelcome in the West, reflect popular preferences.[9]

In economic terms, managed pluralism favors state-directed capitalism, similar to public-private partnerships found in contemporary Japan, South Korea or Singapore. The Putin Administration has on many occasions made it clear that there will be "no revision of privatization", no re-nationalization of assets.[10] They recognize that when private owners (including foreign investors) exercise managerial control over assets and are able to reap the profits, the economy prospers. But Putin's associates advance the argument that the government should have a consultative role in the development of the Russian economy. In their mind, the right to own property—economic assets, natural resources and so on—is balanced by the duty of the business community to work with the state to promote the common good. "Take care of the welfare of other people, the nation and the country when seeking personal welfare", sums up their attitude.[11]

Under managed pluralism, actors have the ability to pursue their interests in Putin's Russia—within the limits that have been delineated by the Kremlin. And the regime has formidable tools at its disposal to try and ensure that social actors remain within bounds. Steps taken by the Kremlin over the last few years—reining in oligarch-controlled media outlets, creating no-go zones between business and politics,[12] tinkering with electoral procedures—do not represent regression from an idyllic liberal democracy, but consolidation of the managed pluralist system—especially if we recognize that the goal of the Putin Administration is not to establish liberal democracy at all costs but rather to continue with orderly reform.

The Collapsed Superpower

THE DESIRE to promote stable reform is an outgrowth of the Putin team's recognition that Russia is a collapsed superpower and a declining great power. Unlike Boris Yeltsin, who still clung to the illusion that post-Soviet Russia was a near equal to the United States on the world stage, the cur-

[9]Incumbents lost not only in the party-list vote, but in the single-mandate constituencies as well. Under such conditions, Russia could be considered a democracy. Larry Diamond, co-editor of the *Journal of Democracy*, notes: "Electoral democracy can exist in countries with significant violations of human rights, massive corruption, and a weak rule of law. But in order for a country to be a democracy, these defects must be sufficiently contained so that, in elections at least, the will of the voters can be reflected in the outcome and, in particular, unpopular incumbents can be booted from office." "Universal Democracy", *Policy Review* (June/July 2003).

[10]Sergei Mironov, the chair of the Federation Council, the upper house of the Russian parliament, made an "official statement" in this regard when speaking at the Carnegie Endowment for International Peace on November 4, 2003. This position has also been reiterated by other senior Russian officials.

[11]This is the "first commandment" of a new code of business ethics presented at the 8th session of the World Russian People's Council (February 2004), a civil society conference bringing together representatives of religious, cultural, political and business organizations. The fifth commandment calls for government, society and business to "join their efforts" to improve the standard of living.

[12]The seventh commandment of the above-referenced code for business proclaims, "The political authority and the economic authority must be separated."

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rent regime recognizes that Russia can neither compete with the United States nor serve as co-guarantor of any new world order. Its greatest fear is that a de-industrializing and de-populating Russia will be transformed into a resource-and-raw-materials appendage to the more developed world, leading to the complete erosion of any Russian influence in the world, even in their immediate Eurasian neighborhood, and possibly even loss of control over parts of Russia itself. They reluctantly agree with Kennan's analysis that "Russia, as opposed to the Western world in general, is still by far the weaker party . . . and that [Russian] society may well contain deficiencies which will eventually weaken its own total potential."

Contemporary Russia has a weak hand to play in international affairs. Following a classic strategy in the Russian version of the, card game "Preference", the Kremlin team engages in "defensive bidding" at this time, seeking to build a stronger hand. In matters such as the termination of the ABM Treaty or America's decision to go to war in Iraq, the Putin team calculated that Russia had nothing to gain by engaging in fruitless attempts to forestall American action. Its overall foreign policy objective has been to give Russia the breathing room it needs to complete its reform process, which is, after all, a very Stolypinesque policy.[13]

To get Russia right, we must seek to understand it as it understands itself, not as we might wish it to be.

Putin has no illusions about the country's weaknesses. In November 2001 he castigated the Russian defense establishment, describing it as "archaic" and unable to "meet modern military and political challenges." A more open Russian society—and one that is more integrated into the global economic system—is the only way Russia can obtain the funds and investment needed to conduct "technical and technological modernization" in a timely and efficient manner.

Yet Russia does possess several valuable geostrategic cards—oil and natural gas, geographic location and intelligence assets, among others. And the current regime is not gambling for the world as did its Soviet predecessors. It has more modest and achievable wants—restoring Russia as the regional hegemon of Eurasia and retaining membership in the club of the world's great powers.

Unlike the Stalinist Soviet Union after World War II, contemporary Russia is prepared to accept a role within an American-led international system, provided it has the ability to influence the agenda. Putin is not seeking to return to any sort of superpower rivalry with the West, but he also does not believe that Russia should have little or no influence in the world.

Indeed, when one looks at the major foreign policy issues that bedevil the United States, Moscow believes that Russia has the contacts, the network and the infrastructure that can facilitate positive outcomes for the United States in support of its vital interests. Winning the War on Terror, achieving a non-nuclear Korean peninsula, stemming the proliferation of WMD technologies, putting the Western world's energy supply on a more secure footing—Russia is an integral part of the solution.

In the immediate aftermath of 9/11, the Kremlin hoped that the United States would recognize Russia as a "regional superpower" and provide appropriate levels of support so that Moscow could act as Washington's proxy in Eurasia. Many in the Russian foreign policy establishment

[13]See, for example, Damjan de Krnjevic-Miskovic, "Why Russia Did Not Veto", *Izvestiya*, November 20, 2002.

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were heartened by Secretary of State Colin Powell's proclamation that the war against international terror, beginning in Afghanistan, would be a joint effort. Some even envisioned a "special relationship" with Russia as America's interlocutor to Central Asian and continental European states alike.

Yet, if a closer relationship with the United States does not help to realize these objectives, the Kremlin is prepared to utilize an alternative strategy: raising the cost for the United States to act unilaterally by declining to offer active support for U.S. initiatives and by working with other powers—France, Germany and China, in particular—to try to counterbalance U.S. actions. Here, Putin's policy is designed, in part, to force the United States to prioritize its own strategic interests. The Russians want to make it clear that the United States cannot take their country's acquiescence for granted. In particular, Washington cannot ignore or oppose Moscow's concerns while expecting the Kremlin to accommodate American priorities.

Putin believes placing the U.S.-Russia partnership on a firm footing is a desirable goal—but only if both sides benefit. Should partnership not be forthcoming, however, Russia still has other options. While the United States may be the world's only remaining superpower, it cannot be everywhere at once or at all times—and this is especially true in Eurasia, Russia's traditional backyard.

The Near Abroad

IT SHOULD BE clearly stated: restoration of the USSR is not a goal of the present leadership. Yet there is a reason Russians of all political stripes refer to the other Eurasian states as "the near abroad." Russia's lines of communication to the rest of the world pass through these states. They, particularly the Central Asian states, shield the Russian heartland from hostile forces, especially Islamic radicalism. There is an intricate web of markets, infrastructure nodes (such as pipelines and railways), cultural institutions and even shared personal ties that define a "common Eurasian space."[14]

There is almost universal agreement with the proposition advanced by the former foreign minister, Igor Ivanov, in his 2002 book *The New Russian Diplomacy* that "it is natural to suppose a pivotal role for Russia in [Eurasia] by virtue of its size, its population, and its economic capability." Even if Russia is poor and underdeveloped by Western standards, it remains the metropolitan power of Eurasia. And as the leading power of the region, it is committed to a strategy that prevents any outside actor from undermining Russian interests. On this point, the liberal democratic parties are in accord with the Kremlin, even if they differ over means. On September 25, 2003, speaking at a commencement ceremony in St. Petersburg, Anatoly Chubais, one of the leaders of the Union of Right Forces, proposed the creation of a Russian "liberal empire" through the wholesale expansion of Russian business interests throughout the Eurasian space. "Russia should provide assistance to other CIS [Commonwealth of Independent States] countries as it has the highest standard of living and is the natural leader among CIS countries." In this view, Russia can remain a great power and a peer of the United States, China and the European Union only by reconstituting a

[14]LUKoil is an excellent example of this phenomenon. It is a Russian energy company that owns critical assets in Azerbaijan, Kazakhstan and Ukraine; its CEO, Vagit Alekperov, is an ethnic Azeri, and, although a Russian citizen, he maintains close ties with the leadership in Azerbaijan. Similarly, the Moscow Patriarchate of the Orthodox Church spans the territory of the former USSR, knitting together congregations made up of Russians and other nationalities.

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Russian-led Eurasian zone. Washington's favorite Russian politician, Yabloko leader Gregory Yavlinsky, has been more circumspect—warning that the aggressive promotion of Russian interests in the CIS might lead to conflicts with other states—but even he acknowledges that a revived Russia would nonetheless "become the center of gravity" within Eurasia.

Thus, "the problem of creating a new system of international relations in the space of the former USSR continues to be one of the highest foreign policy priorities for the Russian leadership", Ivanov observes. Of particular concern to Russia is when other Eurasian governments seek to involve outside powers as a way to exercise leverage against Russia—a Russian version of the Monroe Doctrine, if you will.

And a leadership that embraces managed pluralism at home applies this mindset in structuring its relations with its Eurasian neighbors. Just as the Putin Administration has no desire to renationalize economic assets (and thus take over direct management), there is little enthusiasm for re-incorporating the other states into a new Soviet Union. No responsible figure in Russia wants to divert the country's precious resources to recreate the failed Soviet empire. Maintaining independent states suits Russian interests, since it means that other Eurasian governments must take upon themselves primary responsibility for meeting the social welfare needs of their populations. (Why should it be Russia's problem whether citizens in Tbilisi, Tashkent or Kiev have sufficient power and heat during the winter, or an effective healthcare and educational system?)

So, within limits, Russia has no objection to other Eurasian states developing supplemental political and economic ties to other states—so long as Russian vital interests are respected. But Russia wants to create a Eurasian economic and political zone where Moscow sets the overall agenda.

The recovery of the Russian economy from the 1998 crash coupled with high oil prices over the last several years have given Russian economic conglomerates a good deal of cash with which to purchase key economic assets in Ukraine, Moldova, Georgia and the Central Asian states, as well as in the former "Soviet bloc" countries of eastern Europe. In some cases, this process has been aided by the departure of U.S. and European firms which have sold assets—in Georgia, Lithuania and Bulgaria, for example. Russian influence has also grown in the last several years as leaders in other Eurasian states uncertain of their own position have sought to improve relations with Moscow. For the first time since the Soviet collapse, Russia now has real opportunities to shape everything from the composition of governments to the promulgation of economic policies in the other Eurasian states.

A leadership that embraces managed pluralism at home applies this mindset in structuring its relations with is Eurasian neighbors.

Russia has been using these levers to try to bring about the following outcomes. Its principal goals are to ensure that no other Eurasian state can obstruct Russian engagement with the outside world through its territory and that no foreign troops are based anywhere in Eurasia unless such a deployment occurs with Russian blessing (for example, to combat international terrorism). No Eurasian state should belong to a military bloc or alliance of which Russia is not also a member. In this regard, Russia has promoted the development of the Shanghai Cooperation Organization (SCO)—bring-

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ing together Russia, China and the Central Asian states—as a more preferable alternative for enhancing collective security in the region than the U.S.-sponsored GUUAM (Georgia, Ukraine, Uzbekistan, Azerbaijan, Moldova) grouping. (And there is sufficient evidence to suggest that the SCO has been more effective, from promoting anti-terrorist cooperation to laying the groundwork for closer economic cooperation among its members, than GUUAM, despite active U.S. assistance to the latter organization.)

The Russian Federation also wants to create a single economic zone—not unlike the original conception of the European Community—so that Russian capital and goods can move more efficiently across boundaries. While it does not seek isolation from the larger world, particularly the developed West, Russia wants to be the motor driving further integration with the Euro-Atlantic community. The slogan often heard in Ukraine, "To Europe, with Russia", sums up this approach.

There are limits, of course. Both the United States and the European Union made it clear to Russia that the Baltic States did not fall within the "Eurasian space." They backed this claim up not only by vigorous diplomatic protestations, but by committing substantial resources to enforce their rhetoric (and finding governments in those states receptive to undertaking real reform). What puzzles the leadership in Moscow is why they should accept changes in the geostrategic situation elsewhere in Eurasia in the absence of any such concerted Western effort. What astounds them even more is that they should be asked to subsidize the erosion of their own interests, as in Georgia. Keeping the lights on across the post-Soviet space and providing implicit social subsidies for the citizens of other Eurasian states (a discounted price for natural gas or rights to live and work in Russia) so that their governments can ignore Russian commercial and security concerns is an illogical policy for any Russian government to adopt—especially when nothing substantive is offered in return.

The American Response

MANY Americans—both Democrats and Republicans—are not pleased with contemporary Russia. It is neither a fully liberal state nor a "reliable" ally. A variety of domestic U.S. interest groups—from religious freedom advocates to press monitors—are not happy with the restricted zone of civil and political liberties in Putin's Russia. There is also unease that a reviving Russia seemingly has no interest in promoting a 21st-century version of the "Open Door" in Eurasia—allowing other states to pursue their own agendas with no considerations whatsoever for Russian interests. Yet even with all these disappointments, is this a Russia with which we can live?

Consider the anecdote about an exchange between an American businessman and an unidentified member of the St. Petersburg government in 1992. "Right now, Russia may be on her knees", the man said. "But when she gets up, she'll remember how she was treated." American policy, however, seems predicated on the assumption that Russia will remain in the debilitating condition of the 1990s and will have no choice but to accept Washington's *diktat*. If Russia does "get up" in the next decade, any policy that assumes that Russia will accept a status quo in Eurasia and the world predicated on Russian weakness is foolhardy and dangerous.

Of course, Putin's revival may prove to be ephemeral. The high oil prices that have sustained Russia's economic recovery might crash. Russia itself may prove unable to cope with its severe demographic crisis. Putin's gamble that managed pluralism today will produce social harmony and economic prosperity tomorrow might

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fail. Plainly put, it is very possible that the "Russia question" could be solved by the complete collapse of the Russian state.

Yet the United States needs to evaluate seriously whether such a Russian decline is in its vital interests. The spillover effects of Russia's disintegration to the rest of the Eurasian space and beyond could be contained if there was a *cordon sanitaire* of strong, effective states on the periphery. But there isn't, and it's unlikely to be created in a few short years: Ukraine, Georgia and Uzbekistan hardly fit the bill. All indications are that the United States and its Western partners are unwilling to spend the vast amounts of funds and energy that would be needed to transform policy wishes into on-the-ground realities. The United States has poured more than $10 billion into Georgia over the last decade, yet this massive amount of aid has done little to solve that small state's protracted ethnic and regional conflicts or ease its massive energy and economic dependence on Russia. While some advocate vigorous and bottomless American support for romantic visions of Black-to-Baltic Sea Commonwealths or Silk Road associations, the plain truth is that the costs are simply too great to bear. The United States has other more pressing matters to attend to in East Asia and the Middle East and even desires Russian assistance to achieve these objectives. If Eurasia was the only item on the agenda, things might be different. But it isn't. 9/11 made sure of that.

To put it bluntly, there is no policy of rolling back Russian influence in Eurasia that can be had on the cheap. The United States cannot expect to have the Russia/Eurasia policy equivalent of a five-star dinner at Maxim's for the price of a Happy Meal at McDonald's—and expect Russia to pick up the check to boot. At present, U.S. efforts appear to be designed to strengthen Eurasian states—but the long-term impact of such programs will only be to give the states of the periphery more leverage vis-à-vis Russia, not to break them out of the Russian sphere altogether. The cultural, economic and political links that tie the Eurasian states to Russia are too strong to be sundered by small-scale "Train and Equip"-style programs.

THE WORD "appeasement" easily drips from the lips of those who dislike this analysis. They believe that selling out the "freedom-loving" countries of Eurasia for Russian support constitutes a latter-day Yalta. But the United States, if it so desired, could marshal the resources necessary to renovate the Eurasian states and hold Russia at bay. The problem, as Robert D. Kaplan concluded, is that "remaking this part of the world . . . would take both the resolve of a missionary and a sheer appetite for power that the West could probably never muster, especially given the difficulties it was having in the relatively nearby and less challenging Balkans."[15] The belief that the United States can try to pressure Russia to abandon the pursuit of what it considers to be its legitimate interests without having truly to invest much time or effort is naive at best and counterproductive at worst.

And the notion that the countries of Eurasia can be folded simply into an ever-expanding European Union—especially on the heels of this year's massive enlargement—and thus removed from the "Russian" sphere, is not rooted in reality. Romano Prodi, President of the European Commission, made this perfectly clear at the close of 2002:

> The integration of the Balkans into the European Union will complete the unification of the continent. . . . I do not deny that this process has worked very well. But we cannot go on enlarging forever. We cannot water down the European political project and turn

[15]Kaplan, *Eastward to Tartary* (New York: Random House, 2000), p. 302.

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the European Union into just a free trade area on a continental scale.[16]

To the extent that the EU engages Eurasia in the coming years, it will be within the framework of the Common European Economic Area and the Common European Social Area, both of which have been generated from the dialogue between Moscow and Brussels.

So the question is whether the United States can reach a *modus vivendi* with Russia to secure its own interests in Eurasia as a reviving Russia assumes a greater political and economic role in Eurasia. And here, it is important to note a fundamental difference from Kennan's time. In 1947, Soviet domination of Eurasia gave the USSR the ability to threaten war-ravaged Western Europe and East Asia. Today, even if Russia were to achieve total control over Eurasia—an objective far too costly for Moscow to envision—it would nonetheless be hemmed in by the EU, China and Japan.

It is also essential to draw a clear distinction between American interests and the interests of the other Eurasian states. Georgia, Ukraine or Uzbekistan (and their American advocates) may want the United States to do everything necessary to neutralize Russian economic and political influence. But a level-headed policy toward Russia should be based on analysis, not advocacy. And the deployment of U.S. forces to Eurasia after 9/11 to support operations in Afghanistan demonstrates that when a vital U.S. interest is at stake, the United States can undertake a targeted, limited and successful intervention into the Eurasian space and obtain Russian acquiescence.[17]

The United States is not pleased with the Russia that is emerging. Yet for all the defects, there are many ways in which Russia can be successfully engaged. Isolating Russia is counterproductive at this juncture. Even under present conditions, there remain significant openings through which the United States and other Western states can influence and shape developments in Russia.[18] Russia's desire for access to capital and markets gives it a stake in promoting regional stability. As commercial and political ties mature, Russia's own national interests will become increasingly tied to those of the larger Euro-Atlantic community. And as its interests become more secure, Russia's behavior, especially in Eurasia, will become more predictable and transparent.

Kennan concluded more than fifty years ago that "it is a *sine qua non* of successful dealing with Russia that the foreign government in question should remain at all times cool and collected and that its demands on Russian policy should be put forward in such a manner as to leave the way open for a compliance not too detrimental to Russian prestige." When considering the sources of Russian conduct in the 21st century, this remains sound advice for us to follow. □

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[16] "A Wider Europe-A Proximity Policy As the Key to Stability." Speech delivered at "Peace, Security And Stability International Dialogue and the Role of the EU", Sixth ECSA-World Conference, Jean Monnet Project, Brussels, December 5, 2002.

[17] And in a democratizing Russia, no government can afford completely to alienate public opinion—introducing a new and unpredictable element in the Russo-American relationship.

[18] The presence in Moscow and other parts of Russia of subsidiary branches of U.S. firms and think-tanks—something that would have been unheard of not only in Stalin's time but even during the Brezhnev years—allows for the transmission of American "best practices" in a variety of areas. The fact that many outspoken critics of the Putin Administration—some employed by American institutions—are free to publish, lecture and travel makes it clear that, whatever its faults, current Russia is emphatically not a "neo-Stalinist" state.

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Does Iraq Matter?

Morton Abramowitz

DEPUTY Secretary of Defense Paul Wolfowitz and once high-flying Democratic presidential hopeful Howard Dean do not see eye to eye on the virtues of the Iraq War, but they and other leading Democrats and Republicans agree on the same key policy position: Now that we are in Iraq we must "stay the course." If we get out without leaving a reasonably stable and democratic Iraq, it will have catastrophic consequences for American policy in Iraq and the region and generally undermine American credibility around the world.

The Bush Administration and some Democrats have also argued that American success in creating a democratic Iraq will have an enormous payoff, that it will transform the Middle East's political scene, and even contribute significantly to an Arab-Israeli peace settlement. In his recent State of the Union address Bush put it eloquently: "We will finish the historic work of democracy in Afghanistan and Iraq, so those nations can light the way for others and help transform a troubled part of the world." On this proposition, however, there are qualms. Can Iraq create a stable, reasonably democratic system in any short-term period that can endure? Can even a lengthy American presence ultimately help produce such an Iraq? Would the creation of a reasonably democratic Iraq have the bountiful benefits the Bush Administration foresees? All these are debatable.

Both of these basic propositions—that leaving is catastrophic and succeeding would transform the region—are usually asserted with vehemence, as if somehow they are intrinsically true, but they are rarely examined. That the dismaying political edifice the Middle East now presents is likely to destruct if the United States leaves an unstable Iraq seems farfetched. The region, however, can be expected to change significantly in the generational commitment the Administration has asserted is necessary for bringing democracy to the Middle East, but not necessarily because of the U.S. overthrow of Saddam and a continuing American military presence in Iraq.

Certainly, staying and being successful is far better than leaving and failing. Producing a decent Iraq would be a great achievement worth enormous sustained effort, while failure would have serious consequences. But the unfamiliar, difficult situation in Iraq and our declining ability to influence events needs sober assessment, perhaps a premature but certainly unwelcome endeavor. Indeed, it can be argued that staying indefinitely in Iraq in such difficult circumstances can lead both to greater costs and greater embarrass-

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ment to the United States. A great nation has the capacity to pursue ambitious objectives but also to reconsider the costs involved in the pursuit of those objectives as well as to handle adversity and take compensating measures to reduce the consequences of adversity. The central issues revolve around, first, the costs and benefits of staying or leaving Iraq early and, second, weighing the uncertainties of the consequences under any option. That is hard to do under any circumstance, particularly domestic political ones, when we are already deeply involved in pursuing tough, desirable objectives.

In dealing with the first assumption, it is not easy to define what "not staying the course" means. For some there is a powerful moral factor involved: We took over the country by force, and it is our responsibility to leave it in decent shape however long it takes. Only one Democratic presidential aspirant—Dennis Kucinich—urges immediate withdrawal and turning Iraq completely over to the UN. Indeed the U.S. military is not leaving imminently and there is so far no serious domestic or Iraqi demand for that, although that could change quickly. At the same time, the United States keeps making changes in policy that shorten the time-frame for American rule. It is closing down the Coalition Provisional Authority (CPA) and turning power over to the Iraqis on June 30, 2004, much sooner than originally planned, while establishing a huge embassy to help manage our affairs and hopefully keep some grip on the rudder.

The ways of producing a new Iraqi provisional government are also in flux and the subject of intense debates in Iraq and Washington. Military and civilian officials have become less effusive about ambitious political goals for the new Iraq. What constitutes progress in Iraq now seems to be a moving target. These changes flow less from success and more to the realization of our lack of control in Iraq and the need for greater flexibility. Some ungenerously call it a barely disguised tactic of cutting and running before the November 2004 presidential election.

SO, PRACTICALLY speaking, not staying the course would be the announcement of a decision to remove all U.S. forces within twelve months, leaving Iraq's own military and police forces to cope with any remaining insurgency (U.S. force levels are headed down in any event). A preliminary arrangement is scheduled to be concluded in March 2004 between the CPA and the Iraqi Governing Council (IGC). This will determine the support of coalition forces to the political process. In July 2004, when a provisional Iraqi government assumes sovereignty, coalition forces will cease to be occupiers but will continue to help to provide security as "invited guests." This proposed timetable, of course, tells us little about what might be done in the interim until withdrawal, particularly if the insurgency were to worsen.

Withdrawal in this time period would likely be accompanied by measures to demonstrate continued American involvement and to maintain Iraqi confidence in the generational commitment. These measures include provision of all sorts of assistance and training; the establishment of cooperative organs between the two countries; continuing diplomatic efforts to maintain the confidence of our friends and allies and to secure greater international involvement, including NATO and the UN and its agencies, which might well be forthcoming with a different American involvement in Iraq.

We could also expect statements that we have given the Iraqis every opportunity to create a new Iraq and that establishing a stable state now effectively rests on Iraqi shoulders, hopefully spurring the Iraqi government to perform better. Secretary Rumsfeld—perhaps, uncon-

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sciously—signaled just that in a recent televised address to Iraq's people: "The battle in Iraq today is not a fight between Iraqis and foreign forces—it is a battle between free Iraqis and the last remnants of a defeated regime, who still do not realize that their cause is lost." Yet many believe that any early departure from Iraq in uncertain circumstances is unlikely in a Bush Administration, particularly since the domestic political costs of a sizeable military presence do not yet appear great, while those of failure, on the contrary, do.

Does this not-too-wild scenario promise dire developments for the position of the United States in the world? Until Washington changes its mind, we always will hear that any major military effort undertaken by the United States must be successful, or it will shake the foundations of international life, undermine the American position in the relevant region and the world, and lead to uncontrollable negative consequences.

There is no great confidence anywhere that the United States can produce a desirable political outcome in Iraq.

The most recent example of the contrary is, of course, the Vietnam War, where failure to "stay the course" and prevent Hanoi's takeover of South Vietnam was presented by senior officials as rendering the United States a "pitiful, helpless giant", leading to communist sway over Southeast Asia and altering the balance of power in the world. Vietnam generated far greater divisions and animosities at home and abroad than Iraq has done. There is no question that Vietnam was an enormous defeat for American policy and a disaster for millions of Cambodians and Vietnamese, but it was a loss from which the U.S. quickly recovered internationally—partly because of the divisions in the communist world. Hanoi is of course not as strategically important as Baghdad, and times are different with rogue actors and rogue states; caution here too is in order. Other examples of U.S. military abandonment, but ones in which we had developed little stake, were Ronald Reagan's quick flight from Lebanon in 1983 after the U.S. Marine barracks were blown up and Bill Clinton's escape from Somalia in 1994, following the downing of two Black Hawk helicopters.

America's preeminent power position in the world can endure an early withdrawal from Iraq. The world will continue to depend upon us in every important way. Indeed one can make the case that U.S. forces are so overstretched that a withdrawal might enhance our overall power position and our capacity to do more about Osama bin Laden and other terrorist groups. On the other hand, our will to use power could be reduced. Indeed the most likely impact of an early military withdrawal on policy would be to diminish domestic support for other major military efforts, particularly preemptive ones, much as Vietnam did for a number of years. But in a world where military power is hard to mobilize without U.S. involvement and given America's unparalleled political and technical ability actually to employ military power, basic interests could go unattended and terrible things might happen in the world if our political capability to use power is diminished.

The concerns mostly raised by an early American departure from Iraq focus on the psychological encouragement to terrorists, loss of U.S. prestige in the Arab world, instability in Iraq leading to major disorder or even civil war, and a broader reluctance to rely on American commitments. On these areas disagreement will be great and much depends not only on information and analysis but on the way one thinks the world works. Here, certainty is elusive even if few talk that way. Briefly:

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• The occupation of Iraq has increased terrorism in Iraq, given terrorists training and provided terrorist leaders another cause to encourage people around the world to march under their banner. Our ability, however, to diminish terrorist activity is not principally dependent on what we do in Iraq, particularly with Al-Qaeda still loose in the world. It depends far more on our worldwide cooperation and on dealing more effectively with our friends—notably Pakistan and Saudi Arabia, where the threat from terrorism and the diffusion of WMD is and was greater than in Iraq—rather than with our enemies.

• The magnitude of the political impact on Iraq's neighbors and in other Arab countries of an early departure from Iraq is uncertain. Probably the greatest psychological impact would be on the smaller, more vulnerable Gulf states, which have been dependent on the United States and where the United States has bases. We will of course be concerned with the area's oil-producing states and the need to keep oil flowing—including Iraq's. It is, however, difficult to believe that any Arab state is interested in self-destruction or that it can find much better support in the world besides what is on offer from the United States. That of course does not mean that the coziness of past relations will continue. This coziness is already fading. Indeed, in the short run, still friendly states can be weakened by a continuing heavy American military presence in Iraq and our stated determination to bring democracy to the Arab world.

• Probably most uncertain and most pressing is what kind of Iraqi state emerges and whether it descends into chronic instability, a failed state hospitable to terrorists, or worse, which would affect all of Iraq's neighbors in ways difficult to predict. We have witnessed, not surprisingly, a new alliance of sorts between Turkey, Iran and Syria dedicated to keeping Iraq together and preventing the Kurds from achieving their aspirations for independence, implying perhaps an introduction of forces to prevent that from happening once the Americans have departed. Saudi Arabia will be most worried about a Shi'a takeover, growing Iranian influence in Iraq and what happens to Iraq's Sunni minority. Right now what sort of Iraq emerges is difficult to say, and how long it will last is equally uncertain. One thing is clear: the U.S. military will one day leave Iraq, leaving Turkey and Iran as the most powerful states in the area.

• While some tremors in our alliance structure might be felt, it is hard to believe that any of our allies will want to opt out—except perhaps for such new "friends" as Uzbekistan. Conceivably, an early American departure may affect our basing in a few countries, but our requirements go down once we leave Iraq. Some hedging may happen as with China, but that is already taking place in Southeast Asia and South Korea, not because of our involvement in Iraq but because of China's increasing regional and even global role and the fact that our own attention to terrorism seems to have eclipsed many of our other interests in Asia. Further, any U.S. military action without a UN or NATO mandate is unlikely to win the participation of allies.

All these uncertainties need to be weighed against the costs of a sustained indefinite effort in Iraq. These include the relatively low but continuing and somewhat hidden number of casualties, enormous military and reconstruction expenses (the latter possibly producing great regional economic stimulus much like the Korean and Vietnam wars), huge absorption of the time of senior officials, the continuing abrasions with close allies,

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and the sidelining of other domestic and foreign priorities. There is also domestic division if not polarization over our Iraq venture. In Vietnam, a long and losing war produced a profound national division. In Iraq, a short, winning war has quickly produced a divided country and a divisive presidential campaign.

Weighing uncertainties is not our biggest strength, particularly in areas with which we are not familiar. Senior policy makers usually have little confidence in letting the intelligence community do so on difficult issues, and so end up choosing those intelligence judgments that further their policy objectives. Once an administration—any administration—embarks for whatever reason on a major and costly policy venture, loyalty and single-mindedness take over. Candor and introspection fall by the wayside. Nothing much matters except the pursuit of the goal; the fear of the domestic political repercussions of failure reinforces that mindset. Reversal is very difficult. Great determination is, of course, important in pursuing difficult tasks and hesitation and doubt do not usually further the goal. Success is the ultimate arbiter but the costs could be great. Successful or not, Iraq has added some poison to our national life, particularly over the origins and wisdom of the war and the capabilities and integrity of our intelligence system.

WHAT ABOUT the transformative aspects of the successful overthrow of Saddam? Administration statements on the purpose of the Iraq War have covered the waterfront. Emphasis has moved from Iraq's WMD, a connection to terrorists and violation of UN resolutions to a humanitarian intervention to an emphasis that invasion would spur radical change in the Middle East (including, over the long term, the establishment of democracy in the area). It is the last assertion which is catching increased public international attention.

Much depends on one's mindset. Many supporters of the war see an immediate and major impact of American power on the policies of enemies such as Iran and Syria. They possess an underlying faith that dismantling Saddam's regime will ultimately incite regime change or changed behavior in other unsavory states. Certainly, Iran may have reacted to U.S. determination and the assertion of American military power, although there can be economic and other reasons for Tehran's recent movement seemingly to open its nuclear program to international inspection.

The returns are not in. Syria has shown no interest in getting in American crosshairs and has sought ways to show cooperation with the United States but has not budged on its core foreign policy objectives. As for Libya, Qaddafi may well have been frightened by the invasion of Iraq, but he has been trying for years to reenter the international system to shore up his economy. Arabs will also notice that the United States is pleased that he is giving up his WMD efforts, but the cautious praise of his regime promotes skepticism about the strength of our commitment to democracy. History does not necessarily lead us to expect authoritarian states to relinquish their power because of nearby displays of military power and stirrings for reform among their populations. Whether they crack down or ease up varies.

Before major combat operations began, President Bush declared that "success in Iraq could also begin a new stage for Middle East peace and set in motion progress toward a truly democratic Palestinian state." While the American removal of Saddam reduced the military threat to Israel, so far there is little evidence that it is changing attitudes in the Middle East on the Arab-Israeli conflict, including those in Iraq, or that it has much promise of doing so in the future. Indeed, many Arabs apparently feel that the United States has its priorities wrong,

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that going after Saddam was a diversion from dealing with what was much more on their mind and more politically potent for them, the Arab-Israeli conflict.

The other aspect of the discussion about the benefits of getting rid of Saddam is whether the imposition of democracy in Iraq will change the political life of other Middle East states. This in part depends on whether Iraq can be fashioned into a functioning democracy and how long and what it goes through before it becomes a democratic state. Even those who argue that Iraq's only option is democracy assert that a strong, long-term U.S. presence—providing financial and security assistance—is key to such an outcome. Whether that is right or not, the Administration is urgently trying to keep pace with demands for quicker Iraqi sovereignty. There is increasing fear that, whether held sooner or later, free elections—one of the main yardsticks of democracy—will have undesirable results in Iraq. There is no great confidence anywhere that the United States can produce a stable, desirable and durable political outcome in Iraq.

Skepticism about prospects for democracy in the Middle East is usually met with the rhetorical argument that such an attitude disparages Arabs. Development of democracy in the Arab world will depend more on internal political and economic developments of individual states than what happens in Iraq. Indeed, instability in Iraq could encourage a reaction against democratization in some Arab states. Fortunately, serious if incremental change can be expected from governments throughout the region. Ferment has already begun and will expand, given the vast changes in the availability of communications and media and the workings of globalization. Despite the strong contradictions in our approach to democracy in the Middle East, President Bush's heavy public emphasis on expanding democracy has contributed to that ferment. Sustained practical Western programs to promote democracy, human rights, civil society and independent media should also help. There is a good chance over time we will see better and more reformist Arab governments. But to assert that the occupation of Iraq will produce democracy in Iraq, which will then spread like a virus to other countries in the Middle East, is more prayer than analysis.

The invasion of Iraq was in great part a role of the dice. The only certain consequence was an end to the Saddam Hussein regime—an unmitigated blessing—and to its potential military threats to its neighbors. But beyond that, there were no certainties and apparently little introspection and analysis in the top ranks of the executive branch. The future of Iraq was rather in the eyes of the beholder. Iraq policy is now increasingly a response to developments on the ground there and the vagaries of our domestic politics. Ending the Arab-Israel conflict would have far more influence on transforming the Arab world than creating a new Iraqi government.

Knowing what we now know about Iraq, one could make the argument that we would have been better off if we had spent only a fraction of the hundreds of billions our Iraq venture will end up costing us in bribing Arabs and Israelis into a settlement and enforcing it. Neither the United States nor any other democracy for that matter ever works that way. Hopefully, Iraq will turn out reasonably well. This is still certainly possible. Power, much money and better livelihood can contribute significantly. History, however, shows that short-term military occupations have rarely produced successful nation-building. "Staying the course" might just mean digging in. The best that can be said with some certainty is that to stay or leave Iraq is going to be messy, costly and engage our energies and public discussion for a long time to come. □

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Uncle Sam in the Arab Street

Mideast Democracy and American Interests

Ray Takeyh

IT IS established U.S. policy that the promotion of democracy in the Middle East is vitally necessary to secure America's strategic interests. Washington policymakers and pundits routinely proclaim the virtues of a democratic order and the seamless compatibility of America's interests and ideals. In light of the tragedies of September 11, Washington's long-standing approach that saw authoritarian rulers as the most suitable custodians of America's strategic imperatives seems naive, even reckless. President Bush's disdain for such realpolitik calculations was all too evident when he proclaimed that "sixty years of Western nations excusing and accommodating the lack of freedom in the Middle East did nothing to make us safe, because in the long-run stability cannot be purchased at the expense of liberty."

While historically empires have relied on local autocracies to curb popular passions, the Bush Administration's strategic planners have come to the paradoxical conclusion that the durability of America's hegemony in the region is contingent on the spread of democratic polities.

It is a compelling argument, since the existing Arab political order has succeeded only in producing unpalatable dictatorships, stagnant economies and militant ideologies. There are many indications that the rise of democracies in the Middle East is likely to lessen inter-state conflicts, diminish the zeal of radical Islam and its violent outbursts and even promote long-delayed economic reforms. However, the partisans of the "democratic thesis" must realize that there are tradeoffs. Prospective Arab democracies will not behave as compliant agents of the American empire.

On issues ranging from the Arab-Israeli peace process to the proliferation of weapons of mass destruction, Washington may find a more democratic Middle East less prone to adhere to its mandates. Freed from the restraints of authoritarianism, the nationalistic Arab masses are unlikely to acclaim the merits of the liberal American imperium and eagerly embrace its priorities. In the end, while the spread of democratic rule in the Middle East is likely to stabilize one of the most volatile regions of the world, it will extract its costs in terms of key U.S. preferences.[1]

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[1] See, for example, Ray Takeyh and Nikolas K. Gvosdev, "Democratic Impulses Versus Imperial Interests: America's New Mid-East Conundrum", *Orbis* (Summer 2003).

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Voodoo Economics

THE MIDDLE East is not just a region of dysfunctional politics but also of broken economies. In the post-independence period, the generation of Middle Eastern leaders who defeated European imperialism insisted on monopolizing both political and economic power to advance their development agendas. Given their centralizing predilections, the ruling elites soon crafted command economies, resulting in cumbersome regulation, maldistribution of resources, bloated bureaucracies and rampant corruption. A decade after the fall of the Berlin Wall discredited the notion of socialist planning, Arab rulers maintain their fidelity to the God that failed. Such mismanagement has imposed a crushing burden on the region's populace, as high inflation and unemployment rates not only diminish the living standards of an enfeebled middle class, but confront already politically disenfranchised youth with a dim economic future. (There is no East Asian-style bargain where people forego political rights in return for guaranteed prosperity.) Because the region's governing regimes lack legitimacy, they are unwilling to institute the structural economic reforms that will initially cause an adverse popular reaction, especially since "initially" can be quite a long time. The Middle East today is immured in a debilitating cycle, as the ruling regimes are unwilling or unable to undertake the reforms necessary to prevent serious social problems and perhaps eventually a social implosion.

The peculiar tragedy of the Middle East is that the economic malaise sweeping the region impacts not just resource-poor states but also those with an abundance of subterranean wealth. An examination of key indicators of three leading states crystallizes the region's dire economic circumstances. Despite having the fifth-largest gas reserves in the world, Algeria continues to register a 31 percent unemployment rate. It is hard to see how Algeria can recover from its civil war and rehabilitate its social fabric while continuously suffering from double-digit unemployment rates. The case of the region's most populous state, Egypt, is no better. The Mubarak regime has largely abandoned its previous attempts to privatize the economy and has persisted with investment in unproductive heavy industries. As a result, in the past year Egypt attracted a mere $600 million in foreign investment. By the regime's own admission, 22 percent of its citizens live below the poverty line. Finally, the case of Saudi Arabia is especially troubling. A nation with a small population base of 24 million and the largest reserves of petroleum in the world (26 percent of proven reserves) is suffering from a 25 percent unemployment rate and a persistent economic recession. At a time when 42 percent of Saudi citizens are under the age of 14, such inefficiency and mismanagement may soon confront the regime with an explosive revolutionary problem. The region's future is even more daunting, as the Middle East needs to "create 100 million new jobs over the next 15 years" in order to absorb its demographic bulge.[2]

The central premise of Arab politics has been a tacit bargain between the rulers and the ruled. In exchange for political passivity and deference, the reigning leaders pledged provision of economic opportunities and subsidies. But the state has created expectations that it can no longer fulfill. It thus has to sustain itself by relying on the security services and symbolic gestures such as periodic parliamentary and municipal elections that in no way disturb the essential parameters of power. The Middle Eastern

[2]Steven Heydemann, "Toward a New Social Contract in the Middle East and North Africa" *Carnegie Endowment for International Peace Arab Reform Bulletin* (January 2004).

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states increasingly resemble the Soviet Union of the 1970s, a corrupt, stagnant bureaucratic state shielding itself in rhetoric that convinces few and inspires even fewer.

Although the post-Cold War period has produced global triumph of democracy, it led to a widespread recognition of the superiority of market economies. But the preconditions for a successful market transition, such as the rule of law, competing centers of power, transparency and cohesive administrative networks are also essential pillars of a democratic polity. Only legitimate regimes resting on popular support can undertake painful structural reforms. A more or less liberal polity that cedes power to the private sector is well suited to rekindling the confidence of diverse international investors and meeting the standards of the global economy. Both eastern Europe and Latin America testify to the fact that an expanding entrepreneurial class has historically proven to be the most enduring nemesis of autocratic rule. In the end, free societies are the most effective way to create prosperous economies.

Democratic Peace, Democratic Tradeoffs

IT IS RARE for the arcane deliberations of political scientists to infiltrate the popular discourse and influence elected politicians. However, the democratic peace theory—that is, the claim that democracies do not wage war against each other—has achieved that distinction. American presidents now routinely invoke its verdicts as an intellectual endorsement of their Wilsonian pieties. In his important speech to the National Endowment of Democracy, President Bush paid homage to these beliefs when he proclaimed, "As in Europe, as in Asia, as in every region of the world, the advance of freedom leads to peace." But, does a theory largely derived from the European experience have any utility in our attempt to understand the Arab world? Would prospective Arab democracies necessarily behave in a more pacific manner? This question has to be pondered not only in terms of inter-Arab relations, but also in terms of the Arab states' approach toward Israel and their relationship with an American imperium. And once we examine the Middle East through that pair of spectacles, the American promotion of democracy may seem much more contentious, even self-defeating to us. In the Arab world, the rhetoric of democracy is seen as the mask of imperialism.

It is too facile to suggest that popular sovereignty dispels conflict. The Balkan experience shows that the rise of political pluralism can intensify nationalism and further exacerbate ethnic cleavages. Yet, the notions that citizenries in most places most of the time are generally averse to conflicts with long-term costs, and that democracy restrains aggressive rulers, have merit. Fully constitutional rule would lead to an independent legislature examining the causes of war, a free press assessing the claims of the executive and an informed public questioning the necessity of the burdens it must bear. Democracies may not necessarily be peaceful, but neither are they naturally prone to indiscriminate belligerence and adventurism. For Arab dictatorships that have often viewed war as a means of enhancing their prestige, an injection of democratic accountability can go a long way toward arresting some of their impetuous impulses.

Even a cursory examination of the post-independence Middle East reveals that far from being a stable and placid region, the Arab world has been marked by persistent inter-state conflict. Under the banner of its transnational ideologies, the aspiring hegemons have waged war and conspired against their fellow rulers. Egypt's Gamal Abdul Nasser and his brand of Pan-Arabism, Saddam and his Ba'athist creed and Iran's Ayatollahs with

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their mandate from heaven have all engaged in prolonged conflicts with their neighbors. Subversion, proxy war, assassination attempts and even outright military aggression have been the currency of Arab international relations, belying the realpolitik confidence in the strategic stability of Arab autocracy.

Would Arab democracies have behaved differently? Counterfactual history is always a precarious exercise. However, a case can be made that a more democratic Iraq and Iran would likely not have waged an eight-year war against one another that was largely sustained by the personal animus of their leaders. Similarly, a pluralistic Iraq would likely have settled its dispute with Kuwait in a more peaceful manner and not undertaken another costly invasion shortly after the end of an exhausting war with Iran. It is not unreasonable to assume that a more democratic Egyptian ruler needing public support would likely have avoided Nasser's 1962 Yemeni quagmire that was utterly inconsistent with Egypt's strategic interests.

If the spread of democracy might stabilize inter-Arab relations, how would emerging democracies deal with an intrusive American presence and its expansive regional agenda? In her August 2003 *Washington Post* op-ed advocating the promotion of democracy, National Security Advisor Condoleezza Rice proclaimed, "A democratic Iraq can become a key element of a very different Middle East." Indeed, it can. For instance, Iraq's contending ethnic and religious factions have arrived at a rare consensus in their demand for eviction of American forces. Despite the enterprising efforts of the Coalition Provisional Authority, 58 percent of Iraqis demanded to be allowed to "work this out themselves", according to a recent poll conducted in four major Iraqi cities, including in Shi'a Basra and Kurdish Kirkuk. The ongoing acts of resistance—as well as the growing frustration with the presence of U.S. and British forces even in the Shi'a areas of the country—suggest a nationalistic rejection of the occupation. Iraqis were happy to be rid of Saddam but show limited inclination to be directed by the United States in any aspect of domestic and foreign policy. Under such conditions, it is difficult for a leader to be responsive to American concerns and, at the same time, seek an electoral mandate from a disgruntled populace that does not necessarily share America's vision.

The case of Iraq is not unique. The most significant political force in today's Middle East is nationalism—and that nationalism insists on autonomy from superpower domination. Various public opinion surveys point to the manifold problems that the United States confronts in the region. The most recent Pew Survey on Global Attitudes conducted in December 2003 reveals that a "very favorable view" of the United States did not reach double digits even in the most moderate regional states with long-standing ties to the United States. In Jordan, only 6 percent had a positive view of the United States, while Pakistan and Egypt recorded equally dismal statistics of 2 and 3 percent respectively. In a similar poll conducted in March 2002 in nine Arab countries, respondents overwhelmingly denounced U.S. policies as "ruthless, aggressive, conceited and arrogant." The State Department's own Advisory Group on Public Diplomacy in the Arab and Muslim World concluded that "the bottom has fallen out of support for the United States."

Beyond public opinion samples, free elections do not necessarily bring forth groups willing to accommodate a U.S. presence. In two countries on the periphery of the Middle East—Turkey and Pakistan—both with relatively free legislative contests, elections have resulted in parliaments suspicious of American prior-

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ities. In both states the Islamist and secular parties have managed to set aside their other differences and oppose the U.S. agenda. The parliamentary elections held in October 2003 in Pakistan witnessed the emergence of such a coalition, as the Pakistan People's Party, the Pakistan Muslim League-Quaid, the Muttahida Majlis-I-Amal (MMA) and the National Alliance. This coalition demanded that President Musharraf reconsider his close relationship with Washington. The freely elected Turkish parliament may feature contenting ideological parties, but they all cooperated with each other in rejecting an American request to invade Iraq through its territory. In both cases, such actions were widely popular. All this is not to suggest an unfolding clash of civilizations, but merely a nationalistic rejection of an imperial power by a region that has been subject to relentless external intervention for the past century. The challenge at hand is not to craft glossy public diplomacy campaigns, as the region's anguish is not about lack of information but the reality of American power.

It is customary for the unsettled Washington establishment to blame such daunting numbers on regimes that castigate the United States as a means of deflecting attention from their own deficiencies. But the opposite may actually be the case—namely that the regimes' campaigns are not designed to cultivate anti-Americanism but actually placate public opinion that is strongly averse to U.S. policies. The Arab masses actually do admire, in their own way, American values, culture and technological prowess, but merely seek liberation from a series of Western empires that have historically arrogated to themselves the right to condition the region's political order. Democratic Arab states would certainly seek diplomatic, trade and cultural ties with the United States, but would object to America's cumbersome presence with its military garrisons and national security doctrines that legitimize pre-emptive warfare—doctrines that apply only to America. Democratic peace theory has clearly failed to assess relations between imperial powers and their dependencies once public opinion enters the political scene.

Nor would a more democratic Middle East necessarily serve the cause of the Arab-Israeli peace process and the integration of Israel into the regional order. The intensity of the Israeli-Palestinian conflict may obscure the historical pattern of gradual accommodation between the Arab states and Israel. The fact remains that during the past two decades, much-maligned autocracies have gradually come to terms with the Israeli state. Two of Israel's neighbors, Jordan and Egypt, have even signed formal peace treaties with their erstwhile nemesis. Such a halting process of normalization would likely be reversed if Arab regimes become responsive to their respective collective wills. The region's public opinion continues to reject Israel as an agent of an alien and pernicious ideology and a usurper of Arab lands. Such rejectionist views go far beyond the Islamist parties that are the chief opponents of the peace process. In Egypt, the state with the oldest peace treaty with Israel, the Islamist Muslim Brotherhood and the secular Wafd party find common ground in denouncing the Camp David Accords.

In a similar vein, a Jordanian parliament that features both Islamists and secular parties routinely calls on King Abdullah to abandon the 1994 peace treaty between Amman and Jerusalem. Throughout the region, anti-peace process campaigns emanate not just from Islamist circles but also from the secular parties with leftist pretensions. The neoconservative assumption that democratic Middle Eastern states would lessen their enmity toward Israel is not substantiated by evidence.

All this is not to suggest the immi-

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nence of war between Israel and more democratic Arab states. The prevailing balance of military power, including Israel's formidable retaliatory capacity—which reportedly includes several hundred nuclear weapons—will still deter against rash Arab designs. But the prevailing cold peace is likely to be transformed into a cold war and the prospect of Israel's integration into the Middle Eastern landscape measurably reduced. Among the debilitating consequences of such a cold war would be an arms race and a corresponding search for weapons of mass destruction.

The attempt to halt the trend toward the accumulation of weapons of mass destruction has been one of the Bush Administration's central pre-occupations. Under the auspices of its new national security doctrine, Washington has even argued in favor of pre-emptive military intervention as a tool of counter-proliferation. However, the aspirants of greater democracy in the Middle East may find a more intensified regional commitment to production of such deadly arsenals should elected regimes come to power. Nations pursue weapons of mass destruction for a variety of strategic and nationalistic reasons. However, potential Arab democracies would face enormous popular pressure for achieving military parity with Israel. A public that complains about the inequality of an Israeli nuclear monopoly is likely to press elected leaders toward modernizing their armed forces and even acquiring the "strategic weapon." Through political pressure and even bribery, the United States has been relatively successful in compelling Arab despots to adhere to their non-proliferation commitments. But such leverage would be less effective against leaders who rely on democratic majorities that demand a viable balance of power with Israel. In the end, the unresolved Arab-Israeli conflict and the inevitable surge of nationalism that democratic polities experience would further complicate America's attempt to reduce the spread of weapons of mass destruction.

The Question of Stability

THE LONG-TERM stability of the Arab world is contingent on a governing order that is responsive to its constituents. The region's declining economic fortunes, its problems of institutional decay and the demographic crisis cannot be assuaged by the region's current collection of unaccountable princes and presidents. A cursory examination of reports from human rights organizations reveals the toll that despotic rule has taken on the Arab populace. Torture, arbitrary arrests and executions are the survival strategies of Arab authoritarianism and censorship and corruption are the daily reminders of unaccountable rule. The brutalized Arab citizenry deserves better treatment than leaders who have proven adept at mismanaging their state and misappropriating its wealth.

Yet most of the opponents of democracy-promotion in the Middle East argue that premature elections will bring radical forces to power. After all, the Islamists possess the most vibrant ideology and the most cohesive organizational infrastructure. The specter of Algeria haunts this debate. An ill-prepared Algerian society was launched on the path of rapid democratization in 1990, only to witness the electoral triumph of the Islamic Salvation Front (FIS). The military's intervention and the end of the democratic process has led to an unspeakably violent civil war that has thus far cost over 100,000 lives. The region's princes and lifetime presidents routinely deflect demands for liberalization by casually invoking the "lessons of Algeria." These arguments, though self-serving, are not entirely spurious. Properly considered, they lead to the conclusion that any transition to democracy needs to be carefully managed, not that it is bound to produce chaos.

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The current autocratic order generates its own pathologies. Radical Islam may not provide effective policy solutions to the political and economic crises besetting the region, but as an ideology of wrath directed against the status quo it has been remarkably effective. Islamism is after all rooted in a religion with an intense emphasis on social justice and the necessity of conforming temporal affairs to divine injunctions. An ideology that advocates decent and efficient government by pious men stands in stark contrast to the realities of the Middle East. Given the Arab world's provocative class stratification and the near absence of any space for political activity, Islamists are able to transform the legitimate right of protest into an obligation of violent resistance. The prevailing regimes' corruption and mismanagement have led to the rise of a disaffected generation easily deceived by the false utopia offered by radical Islam. Terrorism and Islamic militancy are merely the most visible manifestations of a dysfunctional political system that criminalizes dissent and eviscerates civil society. The Arab status quo has palpable costs, a cost that 9/11 demonstrated is no longer confined to the Middle East.

Today, the only way to disarm radicalism is to liberalize political society. An expanding marketplace of ideas will not only expose the intellectual poverty of Islamism but undermine its claim that only violence can serve as an agent of constructive change. The relatively progressive Jordanian monarchy has demonstrated the utility of inclusive politics, as its Islamists parties, the Muslim Brotherhood and in a more recent incarnation, the Islamic Action Front, have been able to contest parliamentary elections and therefore to be consulted by its executive. Largely because of this, Jordan has been spared the type of Islamist violence that has afflicted closed societies such as Egypt and Saudi Arabia.

The value of democratic rule is not just that it constrains rulers by fostering competing institutions and a critical public, but that it engenders a political culture that emphasizes consensus-building, transparency, tolerance and suspicion of radical solutions. By claiming to avoid radicalism, genocidal despots such as Saddam Hussein and profligate monarchies such as the House of Saud also avoid these long-term advantages. This is no longer an acceptable excuse.

WHILE democratic rule in the region might eventually produce more stable and productive societies, it will also lead to polities that reject key aspects of U.S. policy with much more speed. From its peace treaties with Israel to its disarmament injunctions, Washington will find a region less hospitable to its imperatives. The United States faces a strategic dilemma best formulated in the form of a choice. It can either continue to conspire with existing autocracies to prolong their rule, or it can accept the democratic verdict with its objections to many of the policies desired by the American imperium.

The emergence of democracy promotion as the central tenet of the Bush Administration's vision marks an important attempt to finally bring America's Middle East policies into conformity with its ideals. It remains to be seen whether the lure of petroleum and the imperative of resolving the Arab-Israeli conflict—which in the past have propelled American policymakers toward the embrace of authoritarian rulers who pledged stability—will win out again. The cataclysmic events of September 11 and the surge of Islamic radicalism have jolted the American elite and seemingly invalidated the old bargain. However, the debate on democracy promotion needs to transcend its superficial parameters, and its costs and tradeoffs must be more clearly understood. □

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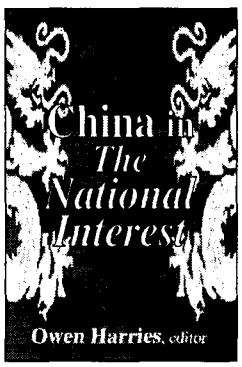

China in *The National Interest*

Owen Harries, editor

Covering China's history, political economy, culture, military issues, and the U. S.-China relationship, this volume presents a multifaceted look at a country which is likely to be a major factor in U. S. foreign policy in the twenty-first century. It includes more than twenty-eight articles published in *The National Interest* since 1995. Distinguished contributors include Zbigniew Brzezinski, Nicholas Eberstadt, John Fitzgerald, Bates Gill, Nathan Glazer, David Lampton, Michael O'Hanlon, Robert Ross, S. Enders Wimbush, Paul Wolfowitz, and Robert B. Zoellick.

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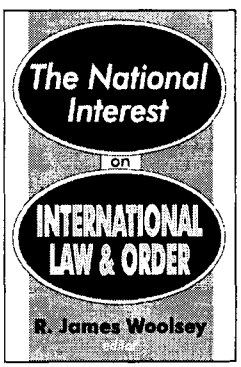
The National Interest on International Law and Order

R. James Woolsey, editor



In this collection international law and the nature of global order are examined and debated among specialists including John Bolton, Robert Bork, Lee Casey, Douglas Feith, Owen Harries, Senator Jesse Helms, Alan Keyes, Irving Kristol, Joseph Nye, Jeremy Rabkin, David Rivkin, Alfred P. Rubin, and Abraham Sofaer. The final portion is devoted to the question of human rights, particularly the tripartite debate between Robin Fox, Francis Fukuyama, and William F. Schulz over the nature and origins of human rights. Among the questions considered are whether human rights are an outgrowth of natural law, or are natural imperatives at odds with protecting individual dignities and freedoms. Is there a universal standard of rights, or are human rights norms derived from majority consensus?

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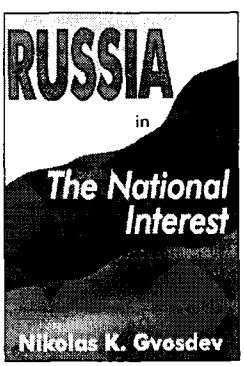

Russia in *The National Interest*

Nikolas K. Gvosdev, editor

Distinguished contributors such as Zbigniew Brzezinski, William Odom, Stephen Sestanovich, Robert Legvold, Martin Malia, Alexey Pushkov, and Dimitri K. Simes, present prescient analyses, provocative assessments and reflections about Russia. For some of these contributors, Russia is to be viewed with suspicion, a state whose current weakness has only retarded, not extinguished, its hegemonic ambitions to dominate Eurasia. For others, Russia is a strategic partner and prospective ally. This volume tackles the hard questions. Readers have the opportunity to consider and assess a number of the great debates surrounding Russia policy.

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The Dating Game

Turkey, Europe and the American Matchmaker

Zeyno Baran

THIS YEAR is make-or-break for Turkish-EU relations. After forty years of being kept at arm's length—albeit with promises of an eventual full embrace—Turkey wants the EU to commit to beginning accession talks at its December summit. All the parties—Ankara, Brussels and Washington—know the deadline and the issues that need to be resolved for this to happen. But if at the end of this year Turkey does not receive a date to commence negotiations, the consequences could be severe. It could spell the end of the reform process in Turkey, severely damage the cohesion of the transatlantic alliance, and seriously jeopardize plans to implement the generational transformation of the Greater Middle East.

Moving Goalposts

TURKEY IS understandably mistrustful of European Union pronouncements about "eventual" membership. Ever since the Ankara Agreement in 1963, when France's President Charles de Gaulle told the Turks that they deserved to join the EU queue, Turkey has been "next in line" to join Europe—even when other states have jumped ahead of them. The great fear is that once the Union increases its size to 25 member-states in 2004, enthusiasm for admitting further members will wane. Realistically, this could be the last round of enlargement for many years to come. Does Turkey deserve to wait another ten or 15 years to enter Europe together with, say, Albania and Bosnia?

The initial excitement over Turkey's Customs Union with the EU in 1995 was followed with a serious disappointment at the EU's 1997 Luxembourg summit, when Turkey was not given candidate status. In reaction to this perceived snub, Turkey cut off political dialogue with Brussels. Under strong pressure from the United States, and in recognition of Turkey's own progress in implementing reforms, Turkey was finally given candidate status at the 1999 Helsinki summit and promised that, once it met the so-called Copenhagen criteria, membership talks would commence.[1]

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[1]The Copenhagen criteria require that a candidate country have stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union; and the ability to take on the obligations of membership including fulfilling conditions for political, economic and monetary union.

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After assessing Turkey's progress, the conclusion reached at the December 2002 Copenhagen summit was:

> If the European Council in December 2004, on the basis of a report and a recommendation from the Commission, decides that Turkey fulfills the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay.

Turkey, upset at receiving an unclear date, felt once more that the EU had snubbed them—despite the best efforts of the United States to put a positive spin on the declaration by interpreting "without delay" to mean that accession talks would commence in early 2005.

The ruling Justice and Development Party (AKP) under Prime Minister Recep Tayyip Erdogan decided to embark on a fresh and ambitious reform program to remove any doubt that Turkey would be in compliance with the Copenhagen criteria.[2] The Erdogan government's efforts were highly praised by many European leaders; during his January 2004 visit to Ankara, German Foreign Minister Joschka Fischer, declared, "We stand by Turkey since it has achieved considerable progress" in its bid for full EU membership.

Yet many Turks who believed that their country was getting closer to Europe now feel that the EU, at its December 2003 Brussels summit, once again moved the goalposts. While recognizing Turkey's push to reform its institutions to European standards, the EU, for the first time, explicitly linked Turkey's candidacy to a successful Cyprus settlement. Indeed, just as Turkey was making progress in political and economic reform, many Turks perceived that the EU was now turning to the Cyprus issue to provide an excuse for keeping Turkey out of the Union.

Encouragingly, there is now momentum for a successful settlement of the Cypriot question. Turkey is serious about seeing this problem resolved before May 1 (when Cyprus is set to enter the EU). Turkey has accepted the proposals advanced by UN Secretary-General Kofi Annan; not only will the Annan Plan serve as the basis for a final settlement, Turkey has agreed that if the Greek and Turkish Cypriots cannot resolve outstanding issues by a certain date, Turkey will negotiate directly with Greece in an attempt to reach a resolution. Should Athens and Ankara, in turn, fail to reach consensus, they will accept whatever the Secretary-General proposes to "fill in the blanks."

By helping to facilitate a Cyprus solution, the EU will find it more difficult to resist giving Turkey a date to start accession talks with Ankara. Even if the Annan Plan is ultimately rejected by either Cypriot party in the referenda scheduled for April, Turkey will have acted in good faith to solve the division of the island and can no longer be considered an obstacle for a solution. But if the window of opportunity is lost, there may never be another chance for such high-level and intense international engagement.

The No-Date Worst-Case Scenario

COMMENTING on Russian-American relations in the Winter 2003/04 issue of *The National Interest*, Dimitri K. Simes rhetorically asked,

> What perverse logic would lead one to believe that America can treat [Vladimir] Putin as an opponent . . . while expecting the Kremlin to accommodate American priorities?

The same logic could be applied to Turkey. In a post-9/11 and post-Saddam

[2]The August 2003 reform package, among other things, abolished the death penalty and guaranteed the right to groups in Turkey to educate and broadcast in languages other than Turkish.

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era, Turkey has become the new front-line state for American and EU security interests in a region extending from the Middle East and North Africa to the Caucasus, Central Asia, Afghanistan and Pakistan. Yet how can continued Turkish cooperation in these matters of vital national interest be assured if Turkey's own European aspirations are continuously denied?

Some argue that the EU can continue to put Turkey off with little or no consequences, since "Turkey has nowhere else to go but Europe." But a fruitful, cooperative relationship cannot be built on such a foundation. For example, a rebuffed Turkey might abolish its Customs Union with the EU. Since its activation in 1996, Turkey has been able to export to the EU as if it were a member. Abolishing or limiting the Customs Union is still a favorite topic for Turkey's nationalists and industrialists, who suffer from competitive, higher quality and cheaper EU imports. Playing on popular fears and momentary anger, these groups could lobby successfully to withdraw from the Customs Union. The Turks might even go so far as to impose a limited trade embargo on European goods.

On top of that, strained relations between Europe and Turkey might undermine Europe's entire policy of engagement toward the Greater Middle East. The EU's "Barcelona Process"—launched in 1995 to extend the European zone of peace and prosperity across the Mediterranean to encompass the Muslim countries of North Africa and the Near East—cannot succeed without active Turkish participation. Germany's Foreign Minister Fischer noted in Munich in February 2004 that Turkey's membership in the Union was essential for the future of Europe's Middle East policy, including its strategic engagement with Iran and efforts to secure a lasting settlement between Israel and the Palestinians.

A Turkey frustrated in its European aspirations would also have little incentive for carrying the Atlantic community's water in places like the Caucasus and Central Asia. There would also be little enthusiasm for Turkey to become nothing more than a resource annex to Europe. From America's perspective, the whole premise of the East-West energy corridor—having Turkey serve as the primary conduit for Caspian oil and gas to reach Western markets—rests on the assumption that Europe views a fully-integrated Turkey as indispensable to its own energy security. But the EU does not quite see it that way.

There are those who argue that, even if there is a short-term disruption in Turkey's relations with the West, eventually cooler heads would prevail, with Ankara returning to the reform path in the hopes of securing a date from Europe.

But such a Turkey would be like a ship adrift without an anchor. Turkey can play a critical role in the Greater Middle East only if it does not lose hope in Europe. If it becomes clear that Europe has turned its back on Turkey, its motivation to continue the reform process will be lost and we could witness Turkey spiral downward and seek the embrace of others.

The key signals are economic. So far, investors have bet that Turkey's economy will continue its robust growth as the EU-required reforms advance. If Turkey is denied the European carrot, however, Turkish nationalists who want to retreat from reforms will gain in strength. This could undermine the success of the economic reform program, thus jeopardizing the IMF's $30 billion Turkish investment. If the Turkish euroskeptics prevail, market confidence would suffer and the Turkish lira would, in all probability, drop precipitously. This would produce a banking and market crisis such as the one Turkey only narrowly avoided when the United States announced an $8.5 billion loan package

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before the Iraq War. The mere announcement of such a package calmed fears and reassured investors. Without the EU, Turkey would need the American anchor more than ever (although it must be said that Turkey still has not accepted the money, as of late February, on account of the conditionality attached to it, namely that Turkey guarantee it will not enter northern Iraq).

Should the EU not begin accession talks this December, Turkey's political stability would be undermined as well. Erdogan's AKP government is able to push through democratic changes mainly because of the prospect of joining the EU. At each significant turn, Turkey's old guard is resisting the changes that would make the country more democratic and more liberal. There are also constant rumblings in the strong secular elements of the military and within Kemalist circles (mainly in the universities, the state bureaucracy and the leading opposition party) that the AKP may have a "hidden Islamist agenda." They fear that the pro-Europe reforms will leave Turkey increasingly vulnerable, yet remain silent for the moment because of the perceived benefits of joining Europe. However, if Europe fails to give Turkey a date, these forces would be in a position to raise their forceful voices, perhaps loudly enough to oust the government.

This is something to be concerned about. Failure to obtain a date would severely damage the credibility of the AKP government and its insistence that adherence to reform policies would produce benefits. The leading opposition politician, Deniz Baykal, leader of the Republican People's Party, has voiced criticisms that the government has been too quick to abandon what it perceives as core Turkish interests—including Cyprus—in order to appease the EU.

If no date is given in December, the AKP itself could fracture into a reformist wing and a more Islamist camp—and so be unable to retain its governing majority. Perhaps the "secular" wing of the AKP could join with more secularist forces to continue Turkey's European orientation. However, there is also a strong possibility that a perceived "rejection" by Europe could act as a catalyst for the creation of a more anti-Western, nationalist coalition. In March 2002, the then-Secretary-General of the National Security Council, Tuncer Kilinc, surprised many observers by expressing his frustration with the EU and declaring that Turkey needed to look "eastward" for strategic partners. "I believe that the EU will never accept Turkey", Kilinc stated. "Thus Turkey needs new allies, and it would be useful if Turkey engages in a search that would include Russia and Iran." At the time, Kilinc's remarks found guarded approval, even among some political forces usually seen as pro-European.

There could also be larger repercussions throughout the Greater Middle East. If Turkey, usually perceived as the region's most secular Islamic state, cannot win acceptance, then what chance do other Islamic countries also pursuing democratic reforms have for becoming more closely associated with the Atlantic community? Turkey's snubbing might also foment backlash against the EU and the West throughout the Muslim world. Having their suspicions of Europe's anti-Muslim bias confirmed once more, increasing numbers of Muslims might turn Islamist instead of trying to emulate the Turkish example—something to be concerned about when viewing the prospects for reform from Morocco to Iraq to Uzbekistan.

What To Do Now

TURKEY'S interests have been best served when American and European visions coincided. While Turkey's EU membership is in the interest of both the United States and

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Europe, the current state of transatlantic relations, with both Brussels and Washington redefining their agendas and sempiternal drift becoming a real possibility, the question of Turkey's EU membership may fall through the cracks. This is especially worrisome because some European politicians believe that Turkish membership in the EU is an American plot designed to weaken and stultify the Union, rather than a means to firmly anchor the Atlantic community's beachhead in the Greater Middle East.

To keep its EU membership on track, Turkey must continue to implement reforms. It cannot assume that the United States can provide Turkey a pass on the Copenhagen criteria. Nor can it avoid the need seriously to pursue a final settlement on Cyprus prior to May 1, if only to remove the only major argument remaining for the EU to stall the start of accession talks this December. Once Cyprus is no longer on the agenda, the Turks need to lobby their friends inside the EU to make sure the goalposts remain firmly in place. As Europe struggles with issues of secularism and dialogue with the Muslim world, and as it seeks reliable partners in a volatile region, the EU should recognize the benefits Turkey would bring as a full member.

This distinction is very important. Some European politicians—such as Germany's Angela Merkel, leader of the Christian Democrats—have proposed that, in lieu of full membership, Turkey should be offered a "third way", a "Privileged Partnership", as an alternative. This would offer Turkey a "comprehensive free-trade area" with Europe and closer integration in joint military and security efforts, but Turkey would remain outside of the Union.

This proposal might appeal to some segments of public opinion within Europe, but it is not a feasible option for Turkey. Most Turks view the "third way" option as a way to keep Turkey permanently out of Europe. If Turkey meets the criteria for membership, talks should begin. Sometimes people forget that giving Turkey a date to begin accession negotiations does not mean membership; getting a date is not like getting a marriage proposal. If talks begin after December 2004, Turkey would be on a ten-year trajectory to full membership. During this decade, reforms would continue and deepen. More importantly, a Turkey engaged in accession talks would become a more attractive candidate for investment, thus helping to solidify reforms and to improve economic performance. Some of the countries of "New Europe" fear that Turkish membership in the Union could drain away precious resources from their own stabilization programs. But denying Turkey a firm date to open talks does not solve that problem and in fact is counterproductive. If investors know that Turkey is indeed "destined to join the Union" at a set point in the future, Turkey's attractiveness as an emerging market is enhanced considerably.

The United States also has a role to play. Not only should the Bush Administration continue to publicly insist that the EU honor its commitments to Turkey, but it should also concentrate more attention on the "non-traditional" states of Union—"New Europe" and the Scandinavian members—where there is less support for offering Turkey a date.

The June NATO summit in Istanbul will be a great opportunity to open Europe's eyes to the strategic importance of Turkey. The summit will be President Bush's first visit to Turkey. The Bush Administration hopes this historic gathering will also provide an opportunity for Turkey to demonstrate that it shares the West's core democratic and free market principles, as well as the same security concerns. For Europe, the summit can provide an opportunity to make it clear that it would welcome such a Turkey into the European family. □

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The Blogs of War

How the Internet is Reshaping Foreign Policy

Glenn Harlan Reynolds

THE WAR in Iraq was the first Internet war: the first major conflict in which the Internet crossed theater lines and affected the course of events. This was unexpected. In the pre-Internet era, many commentators seemed to believe that rapid communication might make war impossible, or at least very difficult. How could people stir up the necessary hatred for the enemy if they were in constant communication with the enemy? How could you dehumanize people you actually knew?

This view, alas, was proved naive when the 19 hijackers of September 11—who had lived in America long enough to know their victims quite well—found themselves entirely capable of launching a brutal attack on innocent civilians. Another pre-war view of the impact of broader communications technology proved more accurate, but still short of the overall picture. I and many others believed that one of the most important effects of new communications technology would be to undermine government control of information. As I wrote back in 1989:

> As information processing tools . . . become more and more widespread . . . the ability of governments to limit their . . . use without bearing fearsome economic costs will be much less. Still more dramatic in its impact will be the spread (already imminent) of compact and inexpensive satellite up- and downlink equipment, which will make events in even the most remote regions fodder for worldwide television regardless of the efforts of governments to ensure otherwise. . . . While the spread of communications technologies and the accompanying growth in the ability of people to communicate despite the disapproval of their governments will not in themselves prevent tyranny and abuses of human rights, they will make both more difficult.[1]

These were words fit for the September 10 era, for they contain a key embedded assumption that has been proven largely wrong in the post-9/11 wars: that the main role of new communications technologies would be to bypass *governmental* information gatekeepers. In fact, the primary role of those new technologies has been to bypass professional news media organizations, and to undermine *their* role as gatekeepers. Furthermore, although the upshot of this has been, as predicted, to

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[1]Glenn Harlan Reynolds, "Speaking with Forked Tongues: Mercantilism, Telecommunications Regulation, and International Trade", *Law and Policy in International Business* No. 21 Vol. 119 (1989), pp. 138–9.

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bring increased accountability to tyrants, it has not, as some might have thought, made war more difficult. In fact, by undermining the power of professional media organizations to present a negative image of war and to ignore dictators' crimes, the new technology has made war against tyrants easier.

Covering the Coverage

BECAUSE OF America's overwhelming military superiority, military analysts generally believe that the chief constraint to U.S. warfighting capabilities is found in domestic public opinion. U.S. forces may be difficult to defeat on the battlefield, but Americans are more likely to give up on a war as a piece of bad business, and to respond swiftly to bad news stories—news stories produced in quantity by news media organizations that are generally anti-war in slant and that tend to hype bad news on all subjects in an effort to secure an audience.

Indeed, this is the traditional story of Vietnam, as told by analysts in the military: although the Tet offensive was a military failure for the North Vietnamese, it was a public relations success that turned American opinion against the war and made an American withdrawal simply a matter of time. This allowed the United States to be out-waited by the North Vietnamese regime, which—thanks to its totalitarian secret police and complete press censorship advantages—was not similarly constrained by popular sentiment. Later incidents involving the Marines in Beirut, and Rangers and Delta Force in Somalia, seemed to support this theory.

The wars in Afghanistan and Iraq appear, however, to undercut this view. For although media and pundits took the usual negative view of hostilities (Afghanistan was famously pronounced a "quagmire" by journalist Nicholas von Hoffman on the very day Mazar-e Sharif fell and the Taliban collapse began), the Internet allowed other Americans to demonstrate support for the war. The result was a very different climate.[2]

The most famous example is the "warblog"—a weblog that focuses largely on the post-9/11 wars, and the political and diplomatic circumstances surrounding them. Some of these became quite famous and developed readerships in the hundreds of thousands, comparing favorably with political opinion magazines like the *New Republic*, the *Nation* and *National Review*. Even some of the lesser known weblogs developed considerable followings, and some of their writers wound up attracting readers from the world of Big Media, and even crossing over to write for such publications. (Blogger Steven Den Beste, for example, who frequently writes long strategic analyses of the war, wound up writing for the *Wall Street Journal*.)

"Fact checking" journalistic reports was a major aspect of the warblogs' work, and the results were occasionally startling. Correspondent Jon Lee Anderson of the *New Yorker* reported from Baghdad that the American bombing campaign had left "a landscape of death and wanton devastation, all stamped 'Made in America.'"[3] Warbloggers immediately noted that commercial satellite images of Baghdad, released by the private company SpaceImaging that same day, showed no such devastation, with the city remaining largely intact and traffic moving normally through the streets. This correction received a good deal of attention nationwide, and bloggers also noted on-the-ground reports from a blogger in Baghdad

[2]For a general discussion on the disconnect between elites and the public on foreign policy questions, see Samuel P. Huntington's essay in this issue.

[3]Comments made during a radio interview. Quoted in Ralph Peters, "Baghdad Butcher: Sadist Saddam Grows Desperate", *New York Post*, April 2, 2003.

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(the pseudonymous Salam Pax, now a columnist for the *Guardian* in London) that damage was less than Western media were claiming—and noting that Saddam's men had been filling trenches with oil and igniting them for several days.

Similarly, Australian journalist and blogger Tim Blair noted a report by Robert Fisk of the London-based *Independent* regarding an American missile that hit a marketplace in Baghdad. Blair reproduced the serial number reported by Fisk as proof that it was an American missile. But several knowledgeable readers weighed in to establish that while the missile was probably American, it was an anti-radar missile. It likely struck the marketplace because the Iraqis had concealed a SAM battery there, perhaps in the hopes of drawing fire and causing civilian deaths that could be blamed on the Americans. So Fisk's reporting, which was expected to make the American effort look bad, thus wound up demonstrating that the Iraqi government was likely guilty of a war crime.

Blogs wound up getting a lot of attention. As Steven Levy wrote in *Newsweek* on March 28, 2003,

> Perhaps it was inevitable that this war would become the breakthrough for blogs. The big-mouths of the so-called Blogosphere have long contended that the form deserves to be seen as a significant component of 21st-century media. And in the months preceding the invasion, blogging about the impending conflict had been feisty and furious. But it wasn't until the bombs hit Baghdad that Weblogs finally found their moment. The arrival of war, and the frustratingly variegated nature of this particular conflict, called for two things: an easy-to-parse overview for news junkies who wanted information from all sides, and a personal insight that bypassed the sanitizing Cuisinart of big-media news editing.

Interestingly, journalists from Big Media organizations were among the most devoted readers of weblogs. The BBC started its own reporters' warblog, as did the *Christian Science Monitor*. The *Times* of London called it "the first www.war." the *Sydney Morning Herald* wrote "the blogs of war conquer a wider world." And *Time* reported, "War-related weblogs—war blogs, for short—have soared in popularity since the hostilities began. Their chief attraction is that they offer perspectives overlooked in most U.S. news reports." Nor were journalists just reporting on the phenomenon: they were relying on it. When I was interviewed for a CNN program on weblogs and the war, I told the producer about a group weblog called the *Command Post*, which had about fifty people scouring the Web for news on the war. When I spoke to her a few hours later she reported that everyone in the newsroom was hitting "refresh" on the *Command Post* every few minutes to find the latest news—which is something to say, considering the source.

Gaining Legitimacy

IT IS THIS sort of high-profile readership, I suspect, that has given weblogs the ability to punch above their weight in national discussion. Even the most popular weblogs have a readership approximating that of a medium-sized newspaper: nothing to sneeze at, but American medium-sized newspapers—of which there are hundreds—are not nationally influential. The readership of weblogs is heavily tilted toward journalists and politicians, however, which makes their influence more akin to that of "insider" publications like trade newspapers or political newsletters. By the standard of those publications, weblogs have very large readerships. Additionally, their ability to link to one another—and bring different angles of commentary to bear on a subject in very short order—serves to magnify their power to an even

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greater extent. (Moreover, during the run-up to the Iraq War, supporters of the Bush Administration's policy used the Internet to organize very large "pro-America" rallies around the nation, despite a media climate that was generally friendlier to war opponents.)

This trend has continued since the Iraq War, with similar implications. Though reports of conditions in Iraq by Big Media organs have been almost unrelentingly negative, weblogs have made a point of showing both sides—and of noting that other visitors to Iraq have reported that the story is far less negative than the drip, drip, drip coverage of bombings and anti-American demonstrations on network news broadcasts might suggest.

This, in turn, has filtered back into Big Media. ABC's *Nightline* even aired an entire episode in which Ted Koppel toured Baghdad with blogger Salam Pax. A huge anti-terrorist demonstration featuring 20,000 Iraqis—almost completely ignored by large American media organizations—was covered by Zeyad, another Iraqi blogger, whose from-the-scene report and photographs were reprinted in the *Weekly Standard* the following week. (Zeyad's reports of thuggish behavior by security guards associated with the *New York Times*' Baghdad bureau also got some American attention.) Zeyad himself became the subject of a lengthy and positive profile in the online magazine *Salon*, which has generally taken a very negative line on the Iraq invasion. And *Salon* even went on to note, in a follow-up piece, that Zeyad had scooped the *Times*, and that the *Times*' explanations for its failure in coverage were not very impressive. That the *Times* was even forced to explain such failures, of course, was news: in previous conflicts, such an omission would have gone unnoticed, and the false picture created thereby would have been taken for truth.

Since the war, there has been even more hands-on work by bloggers. There are a number of military bloggers in Iraq, reporting all sorts of news without Big Media filters, and sometimes bypassing the chain of command. One blog report, by a Marine, that Al-Jazeera was actually paying people to shoot at U.S. troops during Iraqi protests was read by superiors and led to the arrest of some Al-Jazeera reporters. Another U.S. military blogger, using the pseudonym "Chief Wiggles", made arrangements for the delivery of toys and other supplies for Iraqi children with help from dozens of volunteers and thousands of donors in the United States. And reports of alleged U.S. troop misconduct in Iraq—also from Zeyad—produced a swift investigation once they received attention from weblogs, even though U.S. officials in Iraq had originally rebuffed Iraqis' requests to investigate. Iraqis were reassured when Chief Wiggles's blog noted that he was looking into the matter too, as he had earned their trust through his reporting and his actions.

The upshot is that the Internet is serving a role of disintermediation: Where once large media organizations reported facts on the ground (sometimes generating enough heat to bypass the chain of command and get investigations going), and large relief organizations delivered toys and medical supplies, now *ad hoc* operations involving dedicated individuals do the same thing. (An Internet-based charity, Spirit of America, has also been instrumental in coordinating volunteers and donations to get important supplies to American units in Iraq for distribution to Iraqis).

The Pro-War Effect?

This is a change, but it could, in theory, be a neutral one—the same functions being undertaken by different people. The reason why it has had something of a pro-war effect is happenstance: the people and organizations being disintermediated tend

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to take an anti-war, and sometimes (especially in the case of the relief organizations) anti-American line. Those replacing them tend to hold opposing views.

This doesn't mean that the projected role for the Internet in preventing war and in toppling tyrants won't materialize. In fact, it's probably the tyrant-toppling nature of the Iraq War that has confounded the usual predictions. Internet access may, in fact, build stronger bonds among nations—but nations ruled by tyrants are less likely to allow Internet access to begin with. Kim Jong-il's North Korea, for example, has not developed any sort of Internet community, and isn't likely to.

Looking elsewhere, the story is more complex. Iran has developed a large weblog culture—with literally tens of thousands of Iranian weblogs, many by women, providing an outlet for dissidents who are otherwise unable to share their views in the public sphere. The mullarchy ruling Iran isn't happy with this development and has tried to shut it down, with only limited success. When Iranian blogger Sina Motallebi was imprisoned, the Iranian government was taken aback by the strength of the international response, which was mediated by bloggers around the world. As Motallebi told the *Online Journalism Review:*

> There was a petition with more than 4,000 signatures on one site. And there was coverage of the story in the foreign media. And there was pressure from other countries that were concerned with human rights. I think they found the cost of arresting me more than they thought before. . . . They didn't expect the pressure from Webloggers and foreign media in my case. They think I'm an individual [freelance] journalist and not affiliated with any political party, I'm not an insider. So they think that when they arrested me, there wouldn't be strong pressure to release me. But the community of bloggers came together and helped me, and spread the news around the Web, and became united.

Though it would be easy to exaggerate the amount of pressure that the Internet is putting on the Iranian mullahs, it is certainly the case that the mullahs themselves regard the new medium as a serious problem. Internet pressure, and freelance reporting by individuals coupled with self-organization on the Web to protect those individuals, becomes yet another burden for tyrannical regimes.

THE IRANIAN example illustrates another potential of the Internet—the extension of disintermediation to diplomacy. Internet-based businesses have already cut out the middlemen in commerce, and Internet bloggers are cutting out the middlemen in journalism. But the growth of Iranian and Iraqi blogs, and the close interaction between many of these bloggers and their counterparts in America and elsewhere, suggests that the Internet may, in time, come to displace some of the work of diplomats. While government-to-government negotiations are likely to remain the province of professionals, the role of diplomats as a public face for their home country may be reduced as communication between individuals and small groups becomes widespread. Though the potential for misunderstanding is significant, it is probably smaller—and less likely to be significant in any individual instance—where this sort of communication goes on.

The definitive story of the Internet and the War on Terror has not yet been written, and such a story would undoubtedly include events not mentioned above—such as, to name just one, the role of "white hat" hackers in pursuing and sometimes even seizing control of Al-Qaeda affiliated websites. But it seems safe to say that prewar predictions that the Internet would be a force against war, and in favor of lefty, EU-style moral equivalency human rights

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advocates, turn out to have been partly right, but not in the way advocates seem to have thought. The Internet turned out to be a stronger force for human rights properly understood than for peace at any price, and the ability of people to use the Internet to bypass traditional organizations with different priorities has made a significant difference. This effect will probably grow larger over time. With the growing ubiquity of digital cameras (including digital video cameras) and broadband Internet access, the gatekeeper role of traditional news media, and other international organizations, is likely to disappear.

Such a change is unlikely to be "pro-war" or "anti-war" in the abstract. Rather, it is likely to change the *kinds* of wars that get good coverage. Wars that liberate oppressed populations, and especially wars that do so with minimal civilian casualties, are likely to fare the best. It is the good fortune of the United States that those are the sorts of wars it is likely to be fighting in the foreseeable future. □

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Can NATO Survive Europe?

E. Wayne Merry's essay, "Therapy's End", in the Winter 2003/04 issue of *The National Interest* advances a controversial proposition: "The main instrument of the Cold War now inhibits rather than encourages transatlantic cooperation and should be eliminated." *The National Interest* has asked four distinguished scholar-practitioners to provide their opinions and responses to this argument.

Getting Real

An Unromantic Look at the NATO Alliance

John C. Hulsman

AS Alexander Pope explained, "If folly grow romantic, I must paint it." Which brings me to E. Wayne Merry's piece. I have enjoyed Merry's company for a number of years. Yet there has always been something about his aversion to NATO, more in tone than anything else, that has failed to ring true. With this piece, at last I have it. For Merry, all outward appearances to the contrary, is a romantic about the alliance, failing to see it for what it is genuinely in the process of becoming.

In this line, he follows a long and noble historical pattern. Members of the first postwar generation, which invented NATO, were also romantics, seeing the alliance as the elixir that would save them from the ghastly European history of the first half of the 20th century. Statesmen on both sides of the Atlantic—giants like Adenauer, Bevin, Churchill, Acheson, Truman and Eisenhower—felt that, come what may, the North Atlantic Treaty Organization must be supported as the last, best chance to avoid either the Armageddon of World War III or slavery under the Stalinist system. All differences, problems, national rivalries and controversies (and, as now, they were legion) were paltry in comparison to this wholehearted commitment.

In a very different way, the generation that followed (of which Merry is a member) oddly echoed the romantic proclivities of their fathers. Men such as Gerhard Schröder, Joschka Fischer, Javier Solana, Bill Clinton and Tony Blair grew up during a time of rebellion against the cozy consensus of their predecessors. If the older generation could get Vietnam so

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wrong, so the thinking went, perhaps even more vital foreign policy calculations were also flawed. In their youths, such men rebelled against the alliance, seeing it as little more than a symbol of American domination. The Sixty-Eighters (as they came to be known in Europe) instead looked to the increasingly growing European Economic Community as a long-term antidote to perceived American hegemony. In a queer reverse manner, Merry is merely echoing the views of a number of European leaders, held particularly in their youths, that America (and by association its Trojan horse, NATO) was preventing "Europe" from emerging as a third pole of power to challenge both the United States and the USSR. The Sixty-Eighters may have reviled De Gaulle and helped to end his reign, but they subconsciously echoed his critique of the bipolar era. The problem with this latter view is that it misunderstands what NATO and "Europe" really are and what they are becoming.

I am the product of the third postwar generation, a realist Hegelian synthesis of the romantic notions of NATO as everything on the one hand and NATO as imperialist tool on the other. For my generation, NATO is just one politico-military tool of many, to be used when both operationally and politically applicable. For the simple fact is that NATO is again evolving to meet the challenges of the post-9/11 world. For there is little doubt that Merry does not understand what NATO is and does. In fact, nowhere does he mention perhaps NATO's greatest strength: to serve as a clubhouse, allowing fractious states on both sides of the Atlantic to calibrate diplomatic positions privately, coordinating such positions when it becomes practicable. This absolutely vital political function would have to be reinvented if the alliance ceased to exist. For in a world where "Europe" does not yet exist, it allows the United States to cherry-pick allies issue-by-issue and case-by-case, a comfortable middle diplomatic ground between going it alone on major strategic matters and allowing chronic divisions in Europe and elsewhere to grind American foreign policy decision-making to a halt.

NATO ITSELF has operationally been in the process of reinventing itself (as it did in both 1949 and 1952) to deal with the more diffuse post-9/11 era. Up until recently, members of the alliance had only two decision-making options: either agree *en masse* to take on a mission or have one member block the consensus that would allow such a mission to proceed. Fortuitously in April 1999, NATO governments ratified the new Combined Task Force mechanism (CJTF) that adds a needed dimension of flexibility to alliance operations. Through the CJTF mechanism, member-states can decline to participate actively in a specific mission if they do not feel their vital interests are involved, but their opting out of a mission would not stop other NATO members from participating in an intervention if they chose to do so.

This new *modus operandi* is a two-way street. In fact, the first time it was used (*de facto*) involved European efforts to head off civil conflict in Macedonia. The United States, sensibly enough, noted that Macedonia was, to put it mildly, not a primary national interest. However, for Italians, with the Adriatic as their Rio Grande, the explosion of Skopje would have had immediate and direct geostrategic consequences, in terms of both the further destabilization of a nearby region and the consequent refugee flows that were bound to follow in its wake. By allowing certain European states to use common NATO wherewithal, such as logistics, lift and intelligence capabilities (most of which were American in origin) while refraining from putting U.S. boots on the ground in Macedonia, the Bush Administration followed a sensible middle

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course that averted a crisis emerging in the alliance. This operational evolution for out of area missions, far from amounting to "a silent, political coup d'état", as Merry's fevered, romantic imagination would have it, merely signifies the primary reason NATO works: its ability to adapt to changing global structural conditions. Contrary to Merry's assertions, this *is* the stuff of robust alliances.

Likewise utopian is Merry's incessant reference to "European interests", to Europe acting as a coherent entity in the politico-military realm. Merry's second fallacy, a misunderstanding of what the EU is and does, and what it wishes to be, is as equally a flawed assessment as is his misunderstanding of today's alliance. One has only to look at the seminal issue of war and peace during the past year—what to do about Saddam Hussein's Iraq—to see a complete lack of coordination at the European level. Initially, the UK stood shoulder-to-shoulder with the United States; Germany's militant pacifists were against any sort of military involvement, be it sanctioned by the UN or not; and France held a wary middle position, stressing that any military force must emanate from UN Security Council deliberations. It is hard to imagine starker and more disparate foreign policy positions being staked out by the three major powers in Europe—and all of them based on their own specific national, rather than European-wide, interests. As the diplomatic crisis went on, what the Iraq crisis showed to all the world is that beyond comforting EU communiqués, the reality is that Iraq was not about European governments versus the United States. It was about European governments versus European governments. The Europeans are light-years away from developing a common foreign and security policy (CFSP). While doubtless Euro-federalists will say, as they always do, that this specific diplomatic failure will galvanize them to collective action, what we have here is a faith-based view, nothing more. On the high politics issues of war and peace, national interests still come first. Until this changes, the "Europe" to which Merry alludes will remain little more than a romantic fantasy.

PARENTHETICALLY, if the Europe of Merry's imaginings does not exist, there is little reason to suspect that America would do better if it did. The United States finds itself in a difficult social situation regarding greater European efforts at centralization: it neither wants Europe to succeed (and challenge American pre-eminence) nor fail (inducing chaos that could ultimately weaken dependable allies). Merry says America should "welcome a little friendly competition from Europe", without understanding that balancing powers rarely remain "friendly" for very long.

Indeed, those Europeans pushing for a more centralized, federal, coherent European Union do so by increasingly defining themselves through their differences with Americans. European Gaullists see the emergence of a European pole of power as an effective foil to overwhelming American global power. The French position, predictably the most suspicious of America, could not have spelled this out more clearly. Any thought that classical balance-of-power thinking is no longer a relevant tool for today's global environment ought to be put to rest by even vague scrutiny of the Chirac government's rationale for a more coherent Europe.

In separating rhetoric from reality there is a comforting final conclusion that needs to be drawn by American policymakers, namely that the very lack of European unity that hamstrings European Gaullist efforts to challenge the United States presents America with a unique opportunity. If Europe is more about diversity than uniformity, if the concept of a united Europe has yet really to exist, then a general American foreign policy based on cherry-picking coalitions of will-

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ing European allies on a case-by-case basis becomes entirely possible. Such a stance is palpably in America's interests, as it provides a method of managing transatlantic drift while remaining engaged with a continent that will rarely be wholly for, or wholly against, specific American-led foreign policy initiatives. Such a sensible middle course steers between the Scylla of foregoing allies and the Charybdis of allowing a perpetually divided Europe to scupper all American diplomatic and military initiatives.

Militarily, such an approach is exhibited in present efforts at NATO reform. Beyond the sacrosanct Article 5 commitment, the future of NATO consists of coalitions-of-the-willing acting out of area. Here, a realist cherry-picking strategy confounds the impulses of both unilateralists and strict multilateralists. Disregarding unilateralist attitudes towards coalitions as often not worth the bother, this strategy calls for full NATO consultation on every significant strategic issue of the day, as there is little doubt that moving forward with a full multilateral institution is better, if politically practicable. As was the case with Iraq, if full NATO support is not forthcoming, realists would doggedly continue the diplomatic dance, rather than seeing such a rebuff as the end of the process, as many strict multilateralists would counsel.

A CJTF—where a subset of the Alliance forms a coalition of the willing to carry out a specific mission using common NATO resources—would be this strategy's second preference. If this too proved impossible, due to a general institutional blocking of such an initiative, a coalition of the willing outside of NATO—composed of states around the globe committed to a specific initiative based on shared immediate interests—would be the third best option. Only then, if vital national interests were at stake, should America act alone. Cherry-picking is the way around what has become a cartoonish debate, as very few decision-makers are either entirely unilateral or multilateral in orientation. The world is simply more complicated than this.

Finally, Merry forgets one thing more: countries are still clamoring to join NATO, despite the pernicious role he believes it plays in the international system. Whatever the disputes between America and Europe, NATO remains the one vibrant transatlantic institution in which Americans sit cheek by jowl with the major European states. If America is to search for allies in the future, there is little doubt that most of the primary allies will continue to come from Europe. As Keith Richards is reputed to have said to Mick Jagger during one of their periodic spats as members of the Rolling Stones when Jagger is reported to have threatened quitting, "It's bigger than the both of us, darling. You'll be back tomorrow." This is the unsentimental, dare I say it, unromantic reality of the dawn of the 21st century. Romantics on both sides of the Atlantic would do well to keep this in mind, as the rest of us struggle mightily to keep them from forcing us to jump alongside them into the dark unknown they seem so desperately to want to explore without much light. □

> Yes, absolutely, I worry about a democracy having nuclear weapons as much as a dictatorship having nuclear weapons.
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> —Mohamed ElBaradei , as quoted by the *New York Times Magazine*, March 2, 2003

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NATO Has Not Perished Yet While We Are Still Alive

(with an acknowledgement to the first line of the Polish national anthem)

Radek Sikorski

IT IS NOT every day that a former Pentagon official encourages the Europeans to cut alliance ties with the United States. So, when one does, we should pay attention, especially when he does so as eloquently as Wayne Merry did in "Therapy's End." It is, certainly, a mark of a civilized man constantly to question one's first principles. Similarly, it is a sign of intellectual vitality to discuss the assumptions of Western security. One cannot help but agree with him that armies, alliances and international staffs are too expensive to be treated as job-creation schemes. Nor do we want to go down the route of the Soviet Union, which bankrupted itself spending too much money on an ossified defense establishment. In principle, when circumstances change, so should we.

And clearly, circumstances *have* changed. The reality of a belligerent Soviet Union threatening to spread communism into Western Europe—the threat which NATO was founded to deter—is thankfully no longer with us, and we should draw lessons from that success. Equally, the struggle for mastery in Europe, at least by traditional means, seems over and has been replaced by the economic, legal and, possibly soon, constitutional ties of the European Union.

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Merry is also painfully right about Europe's misallocation of its defense expenditures, which makes it feel like a midget despite jointly having the second largest defense expenditures in the world.

Merry proposes a radical solution: Defy that version of Parkinson's law that says that when institutions lose their purpose, they grow. Instead of enlarging, the Alliance should be dissolved and the EU should be encouraged to become a fully-fledged superpower, also in the military field. Let the Europeans take charge of their self-defense and let them define their own security interests beyond their borders as well. Let them grow up, in short, and not only will we save ourselves a great deal of transatlantic aggravation, but the United States will acquire a more responsible and competent ally at the end of the process.

If Merry's manifesto for the liberation of Europe from American tutelage had been written by a former colleague at the Quai d'Orsay, it would no doubt be cited as another proof of a Gallic plot to undermine the *hyper puissance*. But since it comes from this side of the Atlantic, we can examine the arguments without the usual histrionics. In the spirit of free enquiry, let us therefore imagine a world in which Wayne Merry's dream has come true: a world without NATO.

It is true that if the Europeans coordinated their defense policies better, they would gain a much bigger bang for their buck. Europe spends about a third of what the United States spends on its military

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but has nothing like a third of America's capabilities. If instead of 25 armies, navies and air forces, it had one of each, it would enjoy the economies of scale that benefit America. But one wonders if you need to dissolve NATO to do this.

THE dissolution of the alliance would entail the withdrawal of American troops from Europe, since NATO is the main political and legal framework for their stationing. Europe taking charge of its own security surely means that, if it means anything. And that would have its downsides.

Firstly, the transition costs, both for Europe and for the United States—the disappearance, on the one hand, of all those American customers and, on the other, the need to relocate them to bases stateside—would be problematic. This would amount to tens, perhaps hundreds of billions of dollars. It's not a clinching argument—we don't want to be like a company that fails to downsize because of one-time charges—but it's something to keep in mind.

Secondly, the political and regional implications could become noticeably troublesome. Germany's democracy is sufficiently entrenched to survive the end of America's ultimate tutelage, but even a democratic Germany would be more tempted to play geostrategic power games in central Europe and the Balkans—games that led to disaster in the past. Much of "New Europe" itself, deprived of an American presence as the ultimate guarantor of security, would have no choice but to adopt the Franco-German terms of European integration, with all their anti-American undercurrents. Russia would react by speeding up the restoration of its empire. Ukraine, which gave up its post-Soviet nuclear arsenal in return for Western security guarantees, and which has tried to steer a middle course between Russia and the West, would probably succumb to a Russian sphere of influence. Britain would complete its internal realignment. With the security connection with the United States gone, Atlanticist political forces would decline and the UK would finally become a true European social democracy. Spain, Italy, Scandinavia, Turkey—they would all lose the wiggle room that a security connection with the United States gives them in their European policy. The one country that would feel vindicated at last would be France, or rather that part of the French elite which has dreamt of a non-Atlantic, European Europe for all these decades. In short, all of America's friends in Europe would be weakened, while all of America's potential rivals would be boosted. A Europe without American troops on its soil would be more likely to succumb to its lowest-common-denominator ideology of anti-Americanism. A Europe with its own independent military capability will more frequently say 'No' to the United States on a plethora of international issues and, unlike today, that may not mean resentful acquiescence but active opposition.

The third downside, even without falling into outright anti-Americanism, is that a fully fledged European power that had a bigger population and economy would naturally start to think of itself in terms of comparison and competition with the United States in all fields. A unified defense establishment that was a third of America's size in expenditure terms, but much smaller in terms of capabilities for many years to come, would demand what defense establishments do everywhere: a bigger share of resources. But the line between keeping up with the Joneses and an arms race is fluid, and one can lead to the other.

Fourthly, a purely European defense establishment would develop a community of interests with a purely European defense industry, large parts of which already see themselves as competitors with American defense giants. You don't

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have to be a Marxist to believe that commercial competition can feed into other types of competition as well and that these might reinforce one another, leading to volatile and unpredictable crises.

Fifth, such a non-NATO European defense establishment would also do what all weaker powers do in relation to stronger ones: seek allies. Russia, China, various Middle Eastern satrapies that have found the unipolar moment so constraining would finally find a partner in the balancing game. Multipolarity would come back with a vengeance and would not enhance the joint power of the Western democracies. A non-Atlantic Europe with its own army might be a more confident partner for the United States, but it would not necessarily add to America's—or Europe's—ability to achieve its objectives.

And then—either because of shared values and interests, or because common enemies bring us together—if these two powers tried to fight together, what would their military cooperation look like? Without standardized communications, friend-or-foe codes, intertwined lines of military and political authority, they would no longer be a workable coalition. Instead, they would resemble armies of Napoleon's time camped on opposite sides of the river with the European and American emperors sulking in their tents and never sure whether, at the crucial moment, the other would come to their assistance or stab them in the back. If they really wanted to collaborate, they would find that joint staffs, standardized procedures and compatible communications would be indispensable. Pretty soon, they would be working to reinvent NATO.

Let us take as an example, the biggest military coalition currently in the field: the 10,000 strong international division in the Central South sector of Iraq (it is under the command of Poland), which I visited recently. It has relieved U.S. Marines who previously secured the sector and has successfully provided security to over five million Iraqis. The biggest problem its commander has to deal with is the challenge of coordinating two dozen militaries with their different military sub-cultures, different equipment, different rules of engagement and different political directives from their capitals. After more than six months both the participants and the Americans have come to the conclusion that it would be useful to back it up with the institutional resources of an organization for which coordinating diverse militaries is a daily routine, namely NATO. The organization can be useful not only as an American toolbox, but also as an international staff experienced in working with the American military.

THERE IS A middle course between leaving everything as it is and rashly dissolving a successful alliance, and it is in fact what is taking place. Europe will increasingly co-ordinate its foreign and defense policy, and it will progressively strengthen forces and capabilities that it might want to use either inside or outside of NATO structures. But NATO can remain the bedrock of our common security, and we can both use it as a toolbox for those actions that the other side does not object to, but feels no inclination to get involved in. We can be Europe and America, but we are also the Western civilization, with NATO as our invincible arm. □

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Transform NATO
Don't End It

Hans Binnendijk & Richard Kugler

WE PROPOSE a dual-track strategy for healing the transatlantic rift over Iraq and bolstering NATO's ability to play a helpful role in the Greater Middle East. We can best begin by examining E. Wayne Merry's "Therapy's End", which advocates NATO's elimination because it is allegedly a barrier to such a partnership. Merry fingers NATO's maddening features, and we agree with him that Europeans should become more capable of carrying out their security responsibilities. But dismantling NATO would weaken Europe's defense capabilities and destroy the institutions that the United States needs to wage the War on Terror successfully. Instead of dissolving NATO, we must transform it into an institution better suited to performing its new missions.

The Drawbacks of Dissolving NATO

MERRY'S article is reminiscent of Jonathan Swift's *A Modest Proposal*, in which Swift suggested an extreme solution to solve two of England's biggest contemporary problems. Swift was not serious about his proposal, but he was serious about highlighting the issues of 1729. Perhaps this is Merry's purpose in 2004 as well. Certainly no senior U.S. official of either party advocates dissolving NATO, nor does any European government. Nonetheless, the notion needs to be put to rest before turning to the real business of transforming NATO.

Merry gives two main arguments. First, NATO stands in the way of Europe's fully unifying under the EU flag and accepting responsibility for its own security. Second, the United States and Europe have such disparate interests and policies in other regions that they are best advised to go their own ways when they cannot agree. Merry argues that dismantling NATO is far better than continuing to perpetuate Europe's unhealthy dependence on the United States and allowing the United States to use NATO merely as a tool in its involvements elsewhere. These are bold arguments, certainly, but that does not make them right. While Europe needs to acquire a stronger capacity to carry its own security weight, dismantling NATO is not the way to achieve this goal or to grapple with the problem of transatlantic policy disputes about the Middle East. As for the United States, it was a champion of multilateral planning during the Cold War, and it should not view NATO as a mere tool now. It needs partners, not vassals, and it should prefer integrated forces to improvised *ad hoc* coalitions. Transforming NATO, not dissolving it, is the best way to develop such relationships.

Merry gets it exactly wrong: far from NATO being an obstacle to European unity, it remains (as it has been for decades) a principal mechanism for promoting European integration. Without NATO, the Common Market and the

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European Union (EU) would never have been founded.

The divisions in Europe today over Iraq policy are temporary and much less deep than they would be if a strong defensive alliance did not exist. In fact, without the security framework provided by NATO, the EU might well splinter. The United States has supported Europe's unity since the early 1950s. Today, America asks only that the European Security and Defense Policy be implemented so as to respect NATO's responsibility to perform agreed-upon missions. If the United States and NATO are barriers to Europe's unity, as Merry claims, then why has its unity advanced so far in the past fifty years? If NATO is widely resented across Europe as a dying relic of subservience to the United States, then why has it grown from 16 to 26 members in the last five years alone? To say the least, this is odd behavior for a supposedly purposeless and unwanted alliance.

We also disagree with Merry's second argument, that NATO perpetuates unhealthy European dependence upon the United States. Yes, the United States still provides crucial security guarantees to Europe through NATO. But the vast majority of NATO's border-defense forces are provided by Europeans, NATO's military commands are well-populated by Europeans, and the U.S. military presence on the continent could decline by as much as 50 percent in the next few years. Moreover, the historical record shows that since NATO's founding, its defense strategies have reflected a healthy balance of U.S. and European views, not ideas imposed by the United States. Yes, NATO is led by the United States, but this does not mean that its European members are second-class citizens with little influence. Yes, Europeans need to carry a larger share of the defense burden with bigger military budgets and better forces for power projection. But NATO is encouraging them to do so, not trying to block them. Progress is being made. The new NATO Response Force (NRF) is today operational, and it is the European states that provide the principal contributions. The Prague Capabilities Commitment designed to strengthen European forces is making progress. A new NATO command designed to facilitate European military transformation is in place. Europeans now dominate peacekeeping missions in the Balkans. NATO plays a leadership role today in Afghanistan and supports the Polish-led division in Iraq. NATO is not atrophying as Merry suggests, but rather is adapting fairly rapidly to new requirements.

Merry also makes a dangerous assumption about institutions. He believes that the United States unconnected to the European states by a defensive alliance will still have the ability to coordinate transatlantic national security policies on an ongoing basis. NATO today provides a mechanism for coordinating national responses to the new challenges. Remove the Alliance, and the coordinating mechanism is lost. Policy differences are likely to go unresolved if the respective positions have hardened. Resolving those differences without NATO institutions will cause more not fewer transatlantic rifts.

Why Transform NATO?

WE OFFER A different prescription than Merry because we diagnose NATO's ills differently. He views NATO as perpetuating the weaknesses of dependent allies capable of free-riding on America while back-stabbing it at the same time. In our view, the allies are not weak in Europe. The real problem is that apart from Britain and a few others, they are inward-looking and preoccupied with the future of Europe in ways that leave them uneager to become involved in out of area adventures (this includes, most obviously, the Middle

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East). If dissolving NATO were to prod them into activity outside Europe, the risk is that they would adopt an approach that is at odds with U.S. policy. Absent NATO, there would be no transatlantic institution to blend these different approaches into a common, coherent strategy.

Such a strategy is needed because the Europeans are now coming to realize that they can no longer insulate themselves from a dangerous world, and the continent needs America to move that realization in a constructive policy direction. This is not to say that only Europe needs America. America needs Europe as well, for both political and military reasons. If the United States and Europe stand apart, there will be no success in the Middle East. While cooperation does not guarantee success, it increases the likelihood. That alone is a compelling rationale for a renewed partnership, for NATO remains the best vehicle for making such a partnership work.

WHETHER NATO will be able to do so is yet to be seen. But instead of dissolving, NATO needs to adopt a bold reform strategy—beyond that embraced at the Prague Summit of 2002—in order to restore its unity and develop a better capacity for common action. Such a reform strategy should stem from two sensible premises about NATO's role inside and outside Europe, for while continuity is needed in the former case, change is needed in the latter.

The first premise is that NATO continues to be of high value in serving the interests of both the United States and Europe on the continent itself. By helping make the continent secure, NATO enables the United States to address other dangerous regions without constantly looking over its shoulder in fear that Europe may unravel because it is preoccupied elsewhere. Meanwhile, Europe benefits from NATO because American defense commitments allow the continent to protect its security at a vastly lower expense than otherwise would be the case. Indeed, the amount of money that Europe saves each year roughly equals the EU's annual budget. The result is a long-standing, healthy transatlantic bargain that remains profitable for both sides.

European integration is best pursued by a healthy NATO and EU evolving in tandem, with each body performing the strategic functions for which it is best suited. The EU is far from being able to perform NATO's still-important security roles. NATO still is needed in Europe because its traditional mission of security and reassurance still makes sense even though it is now being carried out in new ways.

A second premise is that the United States and Europe share many common interests in the Middle East and other regions even though their policies sometimes are at odds. Above all, they share an interest in ensuring that the Middle East does not go up in flames in ways that could consume them and their interests. Beyond this, they share an interest in promoting not only peace and stability there, but also democracy and market economies. These common interests give the United States and Europe ample scope to cooperate, but only if they can rise above their daily policy squabbles to find common ground for an enduring multilateral strategy. Achieving this goal may be hard, but it is not impossible. The alliance merely needs to remember how it found common ground in the past when its disputes were equally intense: through dialogue and accommodation.

Implementing a Dual Track Strategy

WE PROPOSE a new dual-track strategy, modeled first on the 1960s NATO combination of deterrence and détente to coordinate transatlantic approaches to the Soviet Union and second on the 1980s combination of missile

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deployments and a zero nuclear arms control proposal as a way to remove the SS-20 threat. It is a strategy of defense transformation for military preparedness and political transformation for strategic realignment, and could be adopted in outline as early as the June 2004 Istanbul Summit.

Our defense agenda is aimed at bolstering NATO's military capability for new-era missions outside Europe. It begins with strong commitment to the NRF, which will provide a small but potent expeditionary strike force staffed mostly by Europeans. By instituting a composite of ground, naval and air units capable of swift deployments and modern combat operations, this joint force of about 21,000 troops will help close a huge gap in NATO's preparedness while maintaining interoperability with U.S. forces as transformation intensifies. Adopted at the Prague Summit, the NRF is on schedule to be fully operational by 2006, but success will depend upon continuing high-level political support. Our defense agenda also includes the building up of a small NATO Stabilization and Reconstruction Force (SRF) to complement the NRF that can help perform postwar occupation duties in places such as Afghanistan and Iraq.

Our political transformation agenda is aimed at enhancing NATO's political capability for multilateral action outside Europe. The first component is to produce a special report that presents a common vision of threat perceptions, goals, strategy and standards for using force. Its purpose would be to help close the transatlantic gap that now exists in these areas, and to set the stage for issuing a new NATO strategic concept afterwards. The second component is to replace NATO's current decision-making procedures for handling security issues outside Europe with more flexible and responsive procedures. The point is to make it easier to form coalitions of the willing *within* NATO. Such a new approach would lessen the danger of NATO being paralyzed by a few dissenters. It would aim to delegate proper authority to members charged with responsibility for new missions while ensuring that all crisis actions receive proper review by the NAC. It would permit NATO military authorities to prepare for new missions in advance, and it would allow NATO to mount crisis operations even if a few countries dissent—provided a large majority agrees.

The third component of our political agenda would be to prepare NATO to become involved in future peacekeeping, stabilization and reconstruction missions in the Middle East and beyond. This step already is being taken in Afghanistan, and when the time comes, it should be taken in Iraq. Preparing military forces for this activity is as important as instituting multilateral agreements on policies.

The fourth component is the establishment of what we call a "Partnership for Cooperation" (PfC) with friendly Middle Eastern countries. Unlike NATO's "Partnership for Peace" in Europe, a PfC would not aim to prepare these countries for admission to NATO. Instead, it would form a flexible, slowly growing tent under which NATO members could work with participating Middle Eastern militaries on such common endeavors as peacekeeping, counter-terrorism, border control, planning and budgeting. The PfC would aim to draw its members closer to NATO while instructing them in democracy.

Appraising the Balance Sheet

THIS dual-track strategy of reform may dismay those who want to dissolve NATO and those who want NATO to stand pat. Standing pat is not the answer because it will ensure NATO's slide into irrelevance and ultimate demise. Dissolving NATO makes as much sense as a well-married couple divorcing because husband and wife fail to agree on how to handle the next-door neighbors.

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The real issue is whether this dual-track strategy, or something like it, can succeed. We think it can succeed if it is given a strong push at the Istanbul Summit. The core reason for optimism is that both the United States and Europe, including Germany and France, have incentives to see this strategy work rather than allow NATO to atrophy.

Yes, this strategy is bold. Yes, it will take hard work. Granted, all of it may not be fully achievable. But even partial success—if it includes a healthy blend of military and political achievements—is preferable to no attempt at all or to divorce. Above all, this strategy provides a compelling strategic vision of a restored transatlantic partnership and a new NATO capable of playing a meaningful role inside and outside Europe. Such a vision is exactly what NATO needs in this time of trouble and opportunity.

NATO must become more relevant to today's troubled security affairs outside Europe. Failure to pass the relevancy test will mean that the most successful military alliance in the history of the world will pass into history because the Europeans will lose interest and the United States will pull away. Only the drift to irrelevance, based on false premises and ill will, will prove Merry right. □

A Lesson from NATO's Past

[Konrad] Adenauer's views ... were not shared by his Anglo-American allies, least of all by Great Britain. Prime Minister Harold Macmillan and the British people were reluctant to risk war over the capital of [the] defeated [German] enemy that had, moreover, been largely responsible for destroying their nation's pre-eminence as a Great Power. Unlike France, Great Britain did not identify its long-term security with the future of Germany. Twice in a generation, Great Britain had just barely been saved by American intervention from German assaults that had conquered most of Europe. Though Great Britain would have preferred to preserve the Atlantic Alliance, if forced to make a choice, it would risk isolation from Europe rather than separation from America. Adenauer's domestic dilemmas concerned British leaders far less than Eisenhower's did; in an ultimate crisis, the latter's ability to command domestic support would have a far greater impact on Great Britain's own survival. For all these reasons, British leaders refused to place any large bets on German unity, and interpreted Adenauer's misgivings as nationalism masquerading behind legalistic pedantry.

—Henry Kissinger, *Diplomacy*, chapter 23.

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Keeping Terror Out

Immigration Policy and Asymmetric Warfare

Mark Krikorian

SUPPORTERS of open immigration have tried to de-link 9/11 from security concerns. "There's no relationship between immigration and terrorism", said a spokeswoman for the National Council of the advocacy group La Raza. "I don't think [9/11] can be attributed to the failure of our immigration laws", claimed the head of the immigration lawyers' guild a week after the attacks.

President Bush has not gone that far, but in his January 7 speech proposing an illegal alien amnesty and guest worker program, he claimed the federal government is now fulfilling its responsibility to control immigration, thus justifying a vast increase in the flow of newcomers to America. Exploring the role of immigration control in promoting American security can help provide the context to judge the president's claim that his proposal is consistent with our security imperatives, and can help to sketch the outlines of a secure immigration system.

Home Front

THE PHRASE "Home Front" is a metaphor that gained currency during World War I with the intention of motivating a civilian population involved in total war. The image served to increase economic output and the purchase of war bonds, promote conservation and the recycling of resources and reconcile the citizenry to privation and rationing.

But in the wake of 9/11, "Home Front" is no longer a metaphor. As Deputy Secretary of Defense Paul Wolfowitz said in October 2002,

> Fifty years ago, when we said, 'home front', we were referring to citizens back home doing their part to support the war front. Since last September, however, the home front has become a battlefront every bit as real as any we've known before.

Nor is this an aberration unique to Al-Qaeda or to Islamists generally. No enemy has any hope of defeating our armies in the field and must therefore resort to asymmetric means.[1] And though there are many facets to asymmetric or "Fourth-Generation" warfare—as we saw

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[1]See the National Defense University's Institute for National Strategic Studies 1998 Strategic Assessment: "Put simply, asymmetric threats or techniques are a version of not 'fighting fair', which can include the use of surprise in all its operational and strategic dimensions and the use of weapons in ways unplanned by the United States. Not fighting fair also includes the prospect of an opponent designing a strategy that fundamentally alters the terrain on which a conflict is fought."

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in Al-Qaeda's pre-9/11 assaults on our interests in the Middle East and East Africa and as we are seeing today in Iraq. The Holy Grail of such a strategy is mass-casualty attacks on America.

The military has responded to this new threat with the Northern Command, just as Israel instituted its own "Home Front Command" in 1992, after the Gulf War. But our objective on the Home Front is different, for this front is different from other fronts; the goal is defensive, blocking and disrupting the enemy's ability to carry out attacks on our territory. This will then allow offensive forces to find, pin and kill the enemy overseas.

Because of the asymmetric nature of the threat, the burden of homeland defense is not borne mainly by our armed forces but by agencies formerly seen as civilian entities—mainly the Department of Homeland Security (DHS). And of DHS's expansive portfolio, immigration control is central. The reason is elementary: no matter the weapon or delivery system—hijacked airliners, shipping containers, suitcase nukes, anthrax spores—operatives are required to carry out the attacks. Those operatives have to enter and work in the United States. In a very real sense, the primary weapons of our enemies are not inanimate objects at all, but rather the terrorists themselves—especially in the case of suicide attackers. Thus keeping the terrorists out or apprehending them after they get in is indispensable to victory. As President Bush said recently, "Our country is a battlefield in the first war of the 21st century."

In the words of the July 2002 National Strategy for Homeland Security:

> Our great power leaves these enemies with few conventional options for doing us harm. One such option is to take advantage of our freedom and openness by secretly inserting terrorists into our country to attack our homeland. Homeland security seeks to deny this avenue of attack to our enemies and thus to provide a secure foundation for America's ongoing global engagement.

Our enemies have repeatedly exercised this option of inserting terrorists by exploiting weaknesses in our immigration system. A Center for Immigration Studies analysis of the immigration histories of the 48 foreign-born Al-Qaeda operatives who committed crimes in the United States from 1993 to 2001 (including the 9/11 hijackers) found that nearly every element of the immigration system has been penetrated by the enemy.[2] Of the 48, one-third were here on various temporary visas, another third were legal residents or naturalized citizens, one-fourth were illegal aliens, and the remainder had pending asylum applications. Nearly half of the total had, at some point or another, violated existing immigration laws.

Supporters of loose borders deny that inadequate immigration control is a problem, usually pointing to flawed intelligence as the most important shortcoming that needs to be addressed. Mary Ryan, for example, former head of the State Department's Bureau of Consular Affairs (which issues visas), testified in January 2004 before the 9/11 Commission that

> Even under the best immigration controls, most of the September 11 terrorists would still be admitted to the United States today . . . because they had no criminal records, or known terrorist connections, and had not been identified by intelligence methods for special scrutiny.

But this turns out to be untrue, both for the hijackers and for earlier Al-Qaeda operatives in the United States. A normal level of visa scrutiny, for instance, would have excluded almost all the hijackers.

[2]Steven A. Camarota, "The Open Door: How Terrorists Entered and Remained in the United States, 1993–2001" (Washington, DC: Center for Immigration Studies, 2002).

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Investigative reporter Joel Mowbray acquired copies of 15 of the 19 hijackers' visa applications (the other four were destroyed—yes, destroyed—by the State Department), and every one of the half-dozen current and former consular officers he consulted said every application should have been rejected on its face.[3] Every application was incomplete or contained patently inadequate or absurd answers.

Even if the applications had been properly prepared, many of the hijackers, including Mohammed Atta and several others, were young, single and had little income—precisely the kind of person likely to overstay his visa and become an illegal alien, and thus the kind of applicant who should be rejected. And, conveniently, those *least* likely to overstay their visas—older people with close family, property and other commitments in their home countries—are also the very people least likely to commit suicide attacks.

Since the terrorists are themselves the weapons, immigration warfare is to asymmetric warfare what missle defense is to strategic warfare.

9/11 was not the only terrorist plot to benefit from lax enforcement of ordinary immigration controls—every major Al-Qaeda attack or conspiracy in the United States has involved at least one terrorist who violated immigration law. Gazi Ibrahim Abu Mezer, for example, who was part of the plot to bomb the Brooklyn subway, was actually caught three times by the Border Patrol trying to sneak in from Canada. The third time the Canadians would not take him back. What did we do? Because of a lack of detention space, he was simply released into the country and told to show up for his deportation hearing. After all, with so many millions of illegal aliens here already, how much harm could one more do?

Another example is Mohammed Salameh, who rented the truck in the first World Trade Center bombing. He should never have been granted a visa in the first place. When he applied for a tourist visa he was young, single and had no income and, in the event, did indeed end up remaining illegally. And when his application for a green card under the 1986 illegal-alien amnesty was rejected, there was (and remains today) no way to detain and remove rejected green card applicants, so he simply remained living and working in the United States, none the worse for wear. The same was true of Hesham Mohamed Hadayet, who murdered two people at the El Al counter at Los Angeles International Airport on July 4, 2002—he was a visa overstayer whose asylum claim was rejected. Yet, with no mechanism to remove him, he remained and, with his wife, continued to apply for the visa lottery until she won and procured green cards for both of them.

Ordinary immigration enforcement actually *has* kept out several terrorists that we know of. A vigilant inspector in Washington state stopped Ahmed Ressam because of nervous behavior, and a search of his car uncovered a trunk full of explosives, apparently intended for an attack on Los Angeles International Airport. Ramzi Binalshibh, one of the candidates for the label of "20th hijacker", was rejected four times for a visa, not because of concerns about terrorism but rather, according to a U.S. embassy source, "for the most ordinary of reasons, the same reasons most people are refused." That is, he was thought likely to overstay his visa and become an illegal alien. And Mohamed Al-Qahtani, another one of the "20th hijacker" candidates, was turned away by

[3] "Visas for Terrorists: They Were Ill-Prepared. They Were Laughable. They Were Approved", *National Review*, October 28, 2002.

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an airport inspector in Orlando because he had no return ticket and no hotel reservations, and he refused to identify the friend who was supposed to help him on his trip.

Prior to the growth of militant Islam, the only foreign threat to our population and territory in recent history has been the specter of nuclear attack by the Soviet Union. To continue that analogy, since the terrorists are themselves the weapons, immigration control is to asymmetric warfare what missile defense is to strategic warfare. There are other weapons we must use against an enemy employing asymmetric means—more effective international coordination, improved intelligence gathering and distribution, special military operations—but in the end, the lack of effective immigration control leaves us naked in the face of the enemy. This lack of defensive capability may have made sense with regard to the strategic nuclear threat under the doctrine of Mutual Assured Destruction, but it makes no sense with regard to the asymmetric threats we face today and in the future.

> "Oh God, you who open all doors, please open all doors for me, open all venues for me, open all avenues for me."
>
> *—Prayer found in Mohammed Atta's luggage*

Unfortunately, our immigration response to the wake-up call delivered by the 9/11 attacks has been piecemeal and poorly coordinated. Specific initiatives that should have been set in motion years ago have finally begun to be enacted, but there is an *ad hoc* feel to our response, a sense that bureaucrats in the Justice and Homeland Security departments are searching for ways to tighten up immigration controls that will not alienate one or another of a bevy of special interest groups.

Rather than having federal employees cast about for whatever enforcement measures they feel they can get away with politically, we need a strategic assessment of what an effective immigration-control system would look like.

Homeland Security Begins Abroad

TO EXTEND the missile defense analogy, there are three layers of immigration control, comparable to the three phases of a ballistic missile's flight: boost, midcourse and terminal. In immigration the layers are overseas, at the borders and inside the country. But unlike existing missile defense systems, the redundancy built into our immigration control system permits us repeated opportunities to exclude or apprehend enemy operatives.

Entry into America by foreigners is not a right but a privilege, granted exclusively at the discretion of the American people. The first agency that exercises that discretion is the State Department's Bureau of Consular Affairs, whose officers make the all-important decisions about who gets a visa. Consular Affairs is, in effect, America's other Border Patrol.[4] In September 2003, DHS Under Secretary Asa Hutchinson described the visa process as "forward-based defense" against terrorists and criminals.

The visa filter is especially important because the closer an alien comes to the United States the more difficult it is to exclude him. There is relatively little problem, practically or politically, in rejecting a foreign visa applicant living abroad. Once a person presents himself at

[4] "America's Other Border Patrol: The State Department's Consular Corps and its Role in U.S. Immigration", by Nikolai Wenzel, Center for Immigration Studies *Backgrounder*, August 2000, http://www.cis.org/articles/2000/back800.html.

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a port of entry, it becomes more difficult to turn him back, although the immigration inspector theoretically has a free hand to do so. Most difficult of all is finding and removing people who have actually been admitted; not only is there no physical chokepoint where aliens can be controlled, but even the most superficial connections with American citizens or institutions can lead to vocal protests against enforcement of the law.

Even before 9/11, some improvements had been made to the first layer of immigration security: visas were made machine-readable and more difficult to forge than in the past, and the "watch list" of people who should not be granted visas was computerized, replacing the old microfiche-based system in place until just a few years ago.

Since the attacks, further improvements have taken place. The State Department has instituted the Biometric Visa Program at several consular posts and is preparing to meet a statutory deadline later this year for all visas to have biometric data, in the form of fingerprints and photographs. What's more, under a memorandum of understanding signed last fall, DHS assumed oversight and veto authority over the issuance of visas, and now has personnel overseeing visa officers in a number of consular posts overseas, including in Saudi Arabia, Egypt, Indonesia, Morocco, Pakistan and the UAE.

Despite improvements, the most important flaw in the visa filter still exists: the State Department remains in charge of issuing visas. State has a corporate culture of diplomacy, geared toward currying favor with foreign governments. In the context of visa issuance, this has fostered a "customer-service" approach, which sees the foreign visa applicant as the customer who needs to be satisfied. The attitude in management is summed up by the catchphrase of the former U.S. consul general in Saudi Arabia: "People gotta have their visas!"[5] Such an approach views high visa-refusal rates as a political problem, rather than an indicator of proper vigilance.

Nor will oversight of visa officers by DHS officials be an adequate antidote. As long as the decisions about raises, promotions and future assignments for visa officers are made by the State Department, the culture of diplomacy will win out over the culture of law enforcement. In the end, the only remedy may be to remove the visa function from the State Department altogether.

Order at the Border

THE NEXT layer of immigration security is the border, which has two elements: "ports of entry", which are the points where people traveling by land, sea or air enter the United States; and the stretches between those entry points. The first are staffed by inspectors working for DHS's Bureau of Customs and Border Protection, the second monitored by the Border Patrol and the Coast Guard, both now also part of DHS.

This is another important chokepoint, as almost all of the 48 Al-Qaeda operatives who committed terrorist acts through 2001 had had contact with immigration inspectors. But here, too, the system failed to do its job. For instance, Mohammed Atta was permitted to reenter the country in January 2001 even though he had overstayed his visa the last time. Also, before 9/11 hijacker Khalid Al-Midhar's second trip to the United States, the CIA learned that he had been involved in the bombing of the U.S.S. *Cole*—but it took months for his name to be placed on the watch list used by airport inspectors, and by then he had already entered the country. And in any case,

[5]Joel Mowbray, "Perverse Incentives: The State Department Rewards Officials Responsible for Terror Visas." *National Review Online*, October 22, 2002.

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there still are twelve separate watch lists, maintained by nine different government agencies.

Political considerations fostered a dangerous culture of permissiveness in airport inspections. Bowing to complaints from airlines and the travel industry, Congress in 1990 required that incoming planes be cleared within 45 minutes, reinforcing the notion that the border was a nuisance to be evaded rather than a vital security tool. And the Orlando immigration inspector who turned back a Saudi national—Al-Qahtani, now believed to have been a part of the 9/11 plot—was well aware that he was taking a career risk, since Saudis were supposed to be treated even more permissively than other foreign nationals seeking entry.

There were also failures *between* the ports of entry. Abdelghani Meskini and Abdel Hakim Tizegha, both part of the Millennium Plot that included Ahmed Ressam, first entered the country as stowaways on ships that docked at U.S. ports. Tizegha later moved to Canada and then returned to the United States by sneaking across the land border. And of course, Abu Mezer, though successfully apprehended by the U.S. Border Patrol, was later released.

> "Any nation that wants to control its borders can do so."
>
> —*Gen. Tommy Franks (U.S. Army, ret.)*

And finally, perhaps the biggest defect in this layer of security is the lack of effective tracking of departures. Without exit controls, there is no way to know who has overstayed his visa. This is especially important because most illegal alien terrorists have been overstayers. The opportunities for failure are numerous and the system is so dysfunctional that the INS's own statistics division declared that it was no longer possible to estimate the number of people who have overstayed their visas.

Certainly, there have been real improvements since 9/11. The US-VISIT system has begun to be implemented, with arriving visa-holders being digitally photographed and having their index fingerprints scanned; this will eventually grow into a "check in/check out" system to track them and other foreign visitors. Also, the 45-minute maximum for clearing foreign travelers has been repealed. Lastly, all foreign carriers are now required to forward their passenger manifests to immigration before the plane arrives.

But despite these and other improvements in the mechanics of border management, the same underlying problem exists here as in the visa process: lack of political seriousness about the security importance of immigration control. The Coast Guard, for instance, still considers the interdiction of illegal aliens a "nonsecurity" mission. More importantly, pressure to expedite entry at the expense of security persists; a DHS memo leaked in January outlined how the US-VISIT system would be suspended if lines at airports grew too long. And, to avoid complaints from businesses in Detroit, Buffalo, and elsewhere, most Canadian visitors have been exempted from the requirements of the US-VISIT system.

Also, there is continued resistance to using the military to back up the Border Patrol—resistance that predates the concern for overstretch caused by the occupation of Iraq. But controlling the Mexican border, apart from the other benefits it would produce, is an important security objective; at least two major rings have been uncovered which smuggled Middle Easterners into the United States via Mexico, with help from corrupt Mexican government employees. At least

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one terrorist has entered this way: Mahmoud Kourani, brother of Hizballah's chief of military security in southern Lebanon, described in a federal indictment as "a member, fighter, recruiter and fund-raiser for Hizballah."

Safety Through Redundancy

THE THIRD layer of immigration security—the terminal phase, in missile defense jargon—is interior enforcement. Here, again, ordinary immigration control can be a powerful security tool. Of the 48 Al-Qaeda operatives, nearly half were either illegal aliens at the time of their crimes or had violated immigration laws at some point prior to their terrorist acts.

Many of these terrorists lived, worked, opened bank accounts and received driver's licenses with little or no difficulty. Because such a large percentage of terrorists violated immigration laws, enforcing the law would be extremely helpful in disrupting and preventing terrorist attacks.

But interior enforcement is also the most politically difficult part of immigration control. While there is at least nominal agreement on the need for improvements to the mechanics of visas and border monitoring, there is no elite consensus regarding interior enforcement. This is especially dangerous given that interior enforcement is the last fallback for immigration control, the final link in a chain of redundancy that starts with the visa application overseas.

There are two elements to interior enforcement: first, conventional measures such as arrest, detention and deportation; and second, verification of legal status when conducting important activities. The latter element is important because its goal is to disrupt the lives of illegal aliens so that many will return home on their own (and, in a security context, to disrupt the planning and execution of terrorist attacks).

Inadequacies in the first element of interior enforcement have clearly helped terrorists in the past. Because there is no way of determining which visitors have overstayed their visas, much less a mechanism for apprehending them, this has been a common means of remaining in the United States—of the twelve (out of 48) Al-Qaeda operatives who were illegal aliens when they took part in terrorism, seven were visa overstayers.

Among terrorists who were actually detained for one reason or another, several were released to go about their business inside America because of inadequate detention space. This lack of space means that most aliens in deportation proceedings are not detained, so that when ordered deported, they receive what is commonly known as a "run letter" instructing them to appear for deportation—and 94 percent of aliens from terrorist-sponsoring states disappear instead.

Lack of coordination between state and local police and federal immigration authorities is another major shortcoming. In the normal course of their work, police frequently encounter aliens. For instance, Mohammed Atta was ticketed in Broward County, Florida, in the spring of 2001 for driving without a license. But the officer had no mechanism to inform him that Atta had overstayed his visa during his prior trip to the United States. Although not an overstayer, another hijacker, Ziad Samir Jarrah, was issued a speeding ticket in Maryland just two days before 9/11, proving that even the most effective terrorists have run afoul of the law before launching their attacks.

PERHAPS THE most outrageous phenomenon in this area of conventional immigration enforcement is the adoption of "sanctuary" policies by cities across the country. Such policies prohibit city employees—

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including police—from reporting immigration violations to federal authorities or even inquiring as to a suspect's immigration status. It is unknown whether any terrorists have yet eluded detention with the help of such policies, but there is no doubt that many ordinary murderers, drug dealers, gang members and other undesirables have and will continue to do so.

The second element of interior enforcement has been, if anything, even more neglected. The creation of "virtual chokepoints", where an alien's legal status would be verified, is an important tool of immigration control, making it difficult for illegals to engage in the activities necessary for modern life.

The most important chokepoint is employment. Unfortunately, enforcement of the prohibition against hiring illegal aliens, passed in 1986, has all but stopped. This might seem to be of little importance to security, but in fact holding a job can be important to terrorists for a number of reasons. By giving them a means of support, it helps them blend into society. Neighbors might well become suspicious of young men who do not work but seem able to pay their bills. Moreover, supporting themselves by working would enable terrorists to avoid the scrutiny that might attend the transfer of money from abroad. Of course, terrorists who do not work can still arrive with large sums of cash, but this too creates risks of detection.

If our immigration system can be penetrated by a Mexican busboy, it can surely be penetrated by an Al-Qaeda terrorist.

That said, the ban on employment by illegal aliens is one of the most widely violated immigration laws by terrorists. Among those who worked illegally at some point were CIA shooter Mir Aimal Kansi; Millennium plot conspirator Abdelghani Meskini; and 1993 World Trade Center bombers Eyad Ismoil, Mohammed Salameh and Mahmud and Mohammed Abouhalima.

Other chokepoints include obtaining a driver's license and opening a bank account, two things that most of the 9/11 hijackers had done. It is distressing to note that, while Virginia, Florida and New Jersey tightened their driver's license rules after learning that the hijackers had used licenses from those states, other states have not. Indeed, California's then-Governor Gray Davis signed a bill last year intended specifically to provide licenses to illegal aliens (which was repealed after his recall).

As for bank accounts, the trend is toward making it easier for illegal aliens to open them. The governments of Mexico and several other countries have joined with several major banks to promote the use of consular identification cards (for illegals who can't get other ID) as a valid form of identification, something the U.S. Department of the Treasury explicitly sanctioned in an October 2002 report.

Finally, the provision of immigration services is an important chokepoint, one that provides the federal government additional opportunities to screen the same alien. There is a hierarchy of statuses a foreign-born person might possess, from illegal alien to short-term visitor, long-term visitor, permanent resident (green card holder) and finally, naturalized citizen. It is very beneficial for terrorists to move up in this hierarchy because it affords them additional opportunities to harm us. To take only one example: Mahmud Abouhalima—one of the leaders of the first World Trade Center bombing—was an illegal-alien visa overstayer; but he became a legal resident as part of the 1986 illegal-alien amnesty by falsely claiming to be a farmworker, and he was only then able to travel to Afghanistan for terrorist training and return to the United States.

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There have been some improvements since 9/11 in the third layer of security. Illegal aliens who absconded after receiving their "run letters" are being, very slowly, added to the FBI's National Crime Information Center (NCIC) database, widely used by state and local police. What's more, the foreign-student tracking system is finally operational and the pilot program to develop a system for employers to verify the legal status of new hires was recently re-authorized and expanded.

But the ambivalence about interior enforcement is even deeper and more pronounced than in the two other layers of immigration control. There is a general sense among many political leaders that enforcing the immigration law is futile and, in any case, would displease important constituencies.

Former INS Commissioner James Ziglar expressed the general resistance to linking immigration law with homeland security when he said a month after the 9/11 attacks that "We're not talking about immigration, we're talking about evil." It is as if the terrorists were summoned from a magic lamp, rather than moving through our extensive but neglected immigration control system, by applying for visas, being admitted by inspectors, and violating laws with impunity inside America.

Upholding the Law

SUCH ambivalence about immigration enforcement, at whatever stage in the process, compromises our security. It is important to understand that the security function of immigration control is not merely opportunistic, like prosecuting Al Capone for tax violations for want of evidence on his other numerous crimes. The FBI's use of immigration charges to detain hundreds of Middle Easterners in the immediate aftermath of 9/11 was undoubtedly necessary, but it cannot be a model for the role of immigration law in homeland security. If our immigration system is so lax that it can be penetrated by a Mexican busboy, it can sure be penetrated by an Al-Qaeda terrorist.

Since there is no way to let in "good" illegal aliens but keep out "bad" ones, countering the asymmetric threats to our people and territory requires sustained, across-the-board immigration law enforcement. Anything less exposes us to grave dangers. Whatever the arguments for the president's amnesty and guest worker plan, no such proposal can plausibly be entertained until we have a robust, functioning immigration-control system. And we are nowhere close to that day. □

> Overnight, homes, businesses, college dormitories, automobiles and pick-up trucks sprouted flags. . . . For the moment at least, overtly expressing love of country was back in style. . . . But it was a curious patriotism—doubtless heartfelt but arguably wider than it was deep. . . . The primary responsibility of the average citizen for the duration of the emergency remained what it had been in more peaceful times: to be an engine of consumption. . . . Meanwhile, those serving in uniform were lionized. Cops, firefighters and soldiers momentarily eclipsed Hollywood celebrities and professional athletes as American heroes. Whether any of this signified a permanent change in the prevailing culture remained to be seen. Certainly the War on Terror did not send youngsters stampeding to their local armed forces recruiting stations. Indeed, less than a month after the September 11 attack, the *New York Times* declared that pop culture was already back in the saddle.
>
> —Andrew J. Bacevich, *American Empire*, pp. 237–8.

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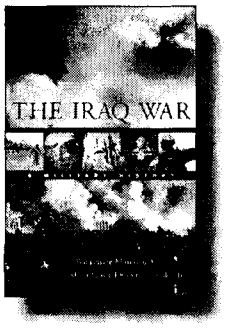

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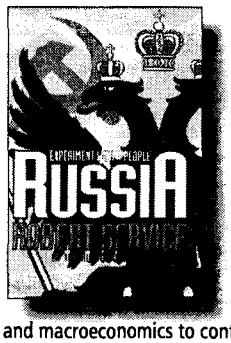

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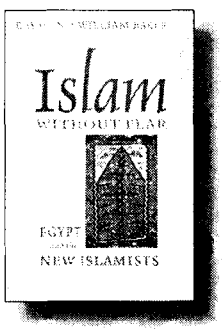

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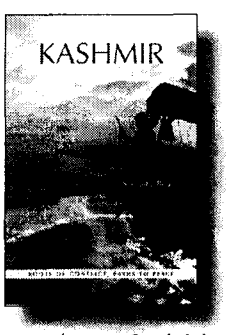

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Outmaneuvering Terror

Redefining the Terrorist

Jonathan Kay

SINCE THE War on Terror began in late 2001, the American military has captured thousands of Al-Qaeda terrorists, Taliban soldiers and other assorted jihadists. Many of these men have been interrogated and released. Others have been returned to their countries of origin. One captive, John Walker Lindh, was prosecuted under U.S. criminal law. The remainder are being held in indefinite detention, including a group of more than 600 who are imprisoned at an American naval base in Guantanamo Bay, Cuba.

From its inception, the Guantanamo facility has aroused widespread international condemnation.[1] Last fall, the International Committee of the Red Cross (ICRC), which monitors conditions at the site, complained that

> U.S. authorities have placed the internees in Guantanamo beyond the law. This means that, after more than eighteen months of captivity, the internees still have no idea about their fate, and no means of recourse through any legal mechanism.

They concluded that Washington must

> institute a due legal process in accordance with the judicial guarantees stipulated by international humanitarian law. This process should formalize and clarify the fate of each and every individual in Guantanamo.

Unfortunately, establishing such clarity is easier said than done. As American and international law is currently constituted, instituting "a due legal process" for the Guantanamo detainees would require that the U.S. government first decide whether to treat them as soldiers or criminals. But the modern terrorist is an awkward hybrid of the two and falls cleanly into neither category. Moreover, both designations imply a slew of legal protections that would significantly compromise the War on Terror.

So far, the U.S. government has responded to this dilemma by choosing not to choose. The so-called Guantanamo detainees, Washington says, are "enemy combatants" who may be denied the protections of both the Third Geneva Convention and the U.S. Constitution. According to this analysis, an "open-ended system of internment" is exactly what they are due. In at least one case, the United States has gone even further, assassinating suspected terrorists outside of a combat arena: In November 2002, an unmanned CIA aircraft destroyed a car

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[1] See David B. Rivkin and Lee. A. Casey, "Leashing the Dogs of War", *The National Interest* (Fall 2003), for a discussion of the growing split within the West over Guantanamo's legality.

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carrying an Al-Qaeda commander and five traveling companions in the Yemeni outback—an action the Swedish foreign minister denounced as "a summary execution that violates human rights."

Morally and as a matter of expediency, the indefinite detention of terror suspects and their assassination in certain circumstances is eminently defensible. Members of Al-Qaeda and its affiliated groups are nihilistic terrorists who regard mass slaughter as a holy mission. Thousands of lives are at stake, and the United States government is rightly more concerned with protecting them than with pleasing human rights activists.

But the use of the "enemy combatant" designation is a legal stop-gap, a vague classification that sells short America's reputation as a freedom-loving nation. Simply put, the "enemy combatant" designation fails to provide a firm legal footing on which to wage a part of the War on Terror. If America is to safeguard its ideals as well as its citizens, Washington must overhaul federal law to account for the unique threat posed by apocalyptic terrorism. What is needed is nothing less than an entirely new legal category defined by statute—separate from both ordinary criminal law and the law of war—that would assign detainees some baseline level of procedural rights while permitting America to fight the war aggressively.

DURING THE two decades leading up to 9/11, Islamist terrorists struck U.S. targets many times, taking hundreds of lives. With rare exceptions, however, the United States government stubbornly insisted on treating terrorism as a crime and individual perpetrators as criminals and not as participants in a war against the United States. In response to the 1983 bombing of the U.S. Marine barracks in Beirut, the first World Trade Center attack in 1993, the 1998 truck-bombings of U.S. embassies in Tanzania and Kenya, and the 2000 bombing of the U.S.S. *Cole* in Yemen, the FBI methodically drew up indictments and promulgated arrest warrants as if the terrorists were ordinary bank robbers or kidnappers.

The central problem with fighting terrorism through the courts is the dilatory, procedurally circumscribed nature of criminal law, the high standard of proof it entails, and the extensive rights afforded the accused. Nothing illustrates this better than the pursuit of Osama bin Laden himself, as Ruth Wedgwood pointed out in these pages several years ago.[2] In 1996, then-President Bill Clinton directed a group of FBI and CIA officials to build a case against the Al-Qaeda leader so that he might be captured and prosecuted in an American court. But not until 1998 did the U.S. Attorney's office file an indictment. Meanwhile, when the government of Sudan put out feelers indicating it might be willing to turn Bin Laden over to the United States, Clinton hesitated. "The FBI did not believe we had enough evidence to indict Bin Laden at that time, and therefore opposed bringing him to the United States", then-national security adviser Sandy Berger explained, according to a front page October 3, 2001, *Washington Post* story.

Prosecutors would have equal difficulty securing convictions against many of the terror suspects captured recently in Afghanistan and Iraq. As Wedgwood noted in an April 2002 article in the *American Journal of International Law*,

> the usual rules of chain of custody and authentication may be difficult to meet for [evidence] obtained in a battlefield environment, where many witnesses are scattered, deceased or uncooperative.

[2]Wedgwood, "The Law at War: How Osama Slipped Away", *The National Interest* (Winter 2001/02).

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Even a defendant such as the accused 20th 9/11 hijacker Zacarias Moussaoui—who has explicitly declared his allegiance to Bin Laden—presents prosecutors with problems. Last year, a federal court declared that the government may not pursue the death penalty or even allege that Moussaoui had any part in the 9/11 attacks unless he is granted the right to question a trio of fellow accused 9/11 masterminds held by the United States. As a result, it is likely that Moussaoui's prosecution will be shifted to a military commission of the type authorized by President George W. Bush to prosecute "violations of the laws of war and other applicable laws."

Are such commissions the solution to the hybrid threat posed by terrorists? At first, many observers thought so, for they appeared to avoid some of the major obstacles presented by the criminal justice system. Bush's order stated, for instance, that the tribunals would not be bound by "the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the United States district courts." No relief could be sought in any U.S. or international court. The military officers serving on the commissions would comprise judge and jury, with conviction and sentencing (the death penalty is included as a possibility) requiring the concurrence of just two-thirds of commission members present.

But four months later, regulations published by the Department of Defense softened the order greatly. Under the new rules, each defendant would be represented by the Judge Advocate General's office, and could also retain the services of a civilian attorney of his own choosing, providing such lawyer had appropriate security clearance. The accused is presumed innocent until proven guilty, and the standard for determining guilt is the familiar "beyond a reasonable doubt" benchmark used in civilian criminal courts. The privilege against self-incrimination is protected. And a sentence of death cannot be handed down without a unanimous vote from all commission members, as conducted by secret written ballot.

As of this writing, only a handful of detainees have been designated as eligible for trial by these commissions. And it is questionable whether the tribunals will ever see much use. One problem is that they cannot be used to try U.S. citizens. Also, since they are run by the military, they will be perceived by international observers as kangaroo courts. But more importantly, the regulations promulgated by the Defense Department import many of the ponderous legalities of civilian courts. As Yale Law School's Harold Koh wrote in an April 2002 essay, "The Case Against Military Commissions",

> proceedings before these commissions will now be likely to suffer from many of the inefficiencies associated with judicial proceedings, but without garnering in return the global respect that genuine, credible judicial proceedings are accorded.

For the most part, the U.S. government has bypassed entirely the criminal justice system not only with the Guantanamo prisoners, but with several U.S. citizens held stateside—including Yasir Hamdi and Jose Padilla. Both have been designated "enemy combatants" and dispatched to indefinite detention in military brigs. (*Habeas corpus* petitions have been filed on behalf of each, and the ensuing litigation will likely be resolved by the Supreme Court later this year, along with a set of other appeals that will eventually serve to define the rights of enemy combatants.)

THE PADILLA case is worth focusing on at greater length because the unconventional nature of his alleged plot illustrates perfectly why the existing model of criminal law is inappropriate for fighting terrorism. The

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U.S. government has accused Padilla of conspiring to use a bomb to spread radioactive material throughout a U.S. population center. But it is questionable whether prosecutors have enough evidence to convict him in a civilian court. Indeed, this is likely the main reason he has been designated an enemy combatant. This raises the profoundly important and unresolved question of what the United States should do with a man who has been credibly accused of a potentially horrific attack against the United States, but against whom criminal charges cannot be proven beyond a reasonable doubt.

In broad strokes, this is a predicament prosecutors face all the time in regard to ordinary criminals. And the usual rule is simple: When the burden of proof fails to be met, a defendant goes free. Thus does our society follow the principle originating from Abraham's plea unto God that a city of wicked men might be spared for ten righteous souls. But though this ancient trade-off is one Judeo-Christian peoples have been willing to accept for centuries, it is one that must be rethought in the age of apocalyptic terrorism. If a regular murderer goes free on a technicality, a handful of future victims could later lose their lives. If a key Al-Qaeda terrorist goes free, *thousands* could perish. Ancient habits of mind and law die hard. But the intersection of militant ideology and weapons of mass destruction that looms over our future should be sufficient to make us rethink long-standing aspects of our social contract. Put starkly, Islamism and those who embrace it must remain outside the social contract. To do otherwise is to participate in our own destruction.

AS IMPORTANT as these existential legal problems may be, they were pushed to the background in the immediate wake of 9/11. On that day, and for months afterward, the battle against terrorism was conceived in military terms. Tens of thousands of U.S. troops were deployed to Central Asia, the Taliban was routed from Kabul and Kandahar, and Al-Qaeda's terrorist training camps were destroyed. This shift to a military approach was long overdue. Bin Laden explicitly declared war—or "jihad"—against the United States and its citizens several times during the 1990s. And his attacks were on such a scale that they clearly went beyond regular crime. The 2000 attack in Yemen, for instance, was a military-grade assault that almost resulted in the sinking of a U.S. warship. And the 1998 African embassy bombings produced almost 5,000 casualties. Had the Clinton Administration taken military action against Al-Qaeda during this period, 9/11 might have been averted. Certainly, as Wedgwood argued in *The National Interest*'s Winter 2001/02 issue, the United States would have been well within its legal rights under international law.

But when jihadists began arriving at Guantanamo, the war paradigm presented the United States with a problem. Under the Third Geneva Convention of 1949, prisoners of war are granted a variety of protections. In particular, they cannot be interrogated in any meaningful way. Article 17 requires that each prisoner is "bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number." If the prisoner refuses to give additional information, the government is forbidden to apply "physical or mental torture, nor any other form of coercion." Nor can prisoners be "threatened, insulted, or exposed to any unpleasant or disadvantageous treatment."

Respecting these strictures is not a realistic option for the United States as it wages the War on Terror.[3] America went

[3]See Jeremy Rabkin, "After Guantanamo: The War Over the Geneva Convention", *The National Interest* (Summer 2002).

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to war in Afghanistan primarily to protect itself from Al-Qaeda terrorists. Having captured hundreds of the group's foot soldiers and several of its masterminds, it would have been unimaginable not to pry from them everything they knew about Al-Qaeda's structure, membership and plots. Predictably, therefore, the United States has maintained that the Third Geneva Convention does not apply because neither Al-Qaeda's terrorists nor the Taliban's disorganized rabble qualify for protection under the conditions specified in Article 4 of that Convention. Both groups, the United States government contends, comprise "unlawful" combatants who are subject to just about any manner of detention and interrogation the United States may wish to apply.

As a matter of law, the United States has an arguable case (albeit more so as regards Al-Qaeda than the Taliban). In *Ex parte Quirin*, a 1942 case involving the treatment of captured German saboteurs, the Supreme Court held that "The law of war draws a distinction between . . . those who are lawful and unlawful combatants." The latter category was said to include "an enemy combatant who without uniform comes secretly through the lines for the purpose of waging war by destruction of life or property." He is "generally deemed not to be entitled to the status of prisoner [of] war." If, as the Supreme Court found, a German soldier ferried in a U-boat to blow up a U.S. aluminum plant is an unlawful combatant, the same description would seem to apply to Al-Qaeda.

But whatever the legal merits of this argument, the sheer number of prisoners at Guantanamo serves to illustrate just how obsolete the rules of war have become. When the Supreme Court ruled in *Quirin* six decades ago, it was taken for granted that wars were fought between sovereign nations fielding uniformed, well-organized armies. "Unlawful combatants" were seen as rarities to be "subject[ed] to trial and punishment by military tribunals", as the *Quirin* opinion puts it. But the proposition that Western nations would one day encounter whole legions of terrorists with no clear territorial ambitions and motivated by nothing except eschatological fantasies would have been unthinkable. Thus did the concept of the unlawful combatant remain an obscure aspect of American jurisprudence, one that had not been substantially revisited by the nation's courts until after 9/11.

The Geneva Convention Relative to the Treatment of Prisoners of War betrays a similarly anachronistic tone. Article 26 stipulates, "The use of tobacco shall be permitted." Article 60 requires the detaining power to provide each prisoner ranking below sergeant a monthly pay advance of "eight Swiss francs." Article 74 says prisoners must be offered cut-rate telegrams. These oddities reflect the postwar context in which the Geneva Convention was adopted. This was an era in which wars were seen as massive conflicts between sovereign powers. The drafters had fresh memories of the Germans' treatment of millions of Russian prisoners taken in the early 1940s and the hellish conditions of GIs captured by Japan.

More problematically, Article 118 requires that "prisoners of war shall be released and repatriated without delay after the cessation of active hostilities." Again, such a provision would have made sense in the aftermath of World War II: The German army had been definitively defeated, and few feared that released prisoners from among its ranks would come to the United States in small groups to bomb our office buildings. But, of course, that is exactly what could happen if imprisoned Al-Qaeda captives are released. Indeed, how does one even begin to define what constitutes "the cessation of active hostilities" in the current context? In the legal scheme put in place by the Geneva Conventions, the concept of a never-ending jihad waged by implacable fanatics simply does not compute.

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THE BASIC elements of a new legal rubric for terrorism should reflect the discussion above: a loosening of the rules of procedure and standards of proof to reflect the catastrophic damage that may result if a true terrorist were mistakenly released; the explicitly granted right to detain jihadists who have embraced terrorism—even if they have not yet taken part in any attack or specific conspiracy—until they are thought to constitute a threat no longer; the use of military strikes to liquidate known terrorists in foreign countries; and the application of aggressive interrogation methods if such methods are necessary to protect lives.

In an ideal world, a new legal standard for treating terrorism might be implemented internationally. But attitudes toward terrorism differ widely. Muslim states, in particular, would never embrace such an understanding unless it provided exculpatory provisions for terrorists prosecuting what many Muslims regard as legitimate—even heroic—"national resistance" struggles in Israel, Bosnia, Chechnya and so forth. Thus, the project is for now best conceived in domestic terms.

In formulating such a rubric, there are numerous models from which the United States can draw—including the "dangerous offender" laws that exist in many Western nations to keep sexual predators, violent psychotics and other exceptional criminals behind bars even after their sentence expires. Moreover, any civilized nation in which terrorists have long blurred the line between crime and war, including Britain and Israel, will have inevitably developed rules that should inform the new American approach.

I am not suggesting the U.S. government be given *carte blanche*. Even in the midst of violent struggle, it befits a democracy to grant everyone who comes under its power the bare elements of due process: notice of the relevant charges and an opportunity to be heard. To deny wholly some of the benefits of the social contract—even to suspected terrorists, especially those who are American citizens—comprises a small but identifiable stain on America's reputation as a champion of freedom and representative government. Indeed, investigations conducted by American newspapers suggest many of the detainees are not terrorists, but unlucky peons conscripted by the Taliban or dull-witted hangers-on in the wrong place at the wrong time. Already, the United States has released several dozen such men from Guantanamo.

A reason the Bush Administration has so far denied basic due process rights to the prisoners at Guantanamo is the fear that any concession regarding their status would compromise their interrogation and detention. But if there were an appropriate legal rubric under which these men could be classified, the granting of basic procedural rights would not be problematic. At a minimum, these rights should entail access to a Judge Advocate who would monitor each suspect's status, provide him with an explanation as to why he is being held, make details about individual cases known to family members if warranted, investigate exculpatory evidence and agitate for his release when—for whatever reason—it may be realistically argued that he no longer poses a threat to the United States and its allies.

On February 13, 2004, Secretary of Defense Donald Rumsfeld announced that each Guantanamo prisoner would eventually receive an "annual review" to assess his status. But such an informal process, essentially an extension of the military's current *ad hoc*, discretionary arrangement, would be insufficient. Rather, the United States should provide terror suspects with access to a new, specially constituted tribunal staffed by jurists with the expertise and security clearance to handle terrorism cases. Unlike the "terrorism court" that has been proposed by various commentators since 9/11, this tribunal would not

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judge the guilt or innocence of those brought before it. That is because, as I have argued, the concept of guilt and innocence does not properly apply to a suspected terrorist (who may have done nothing criminal, but who nonetheless can be shown to possess a generalized intent to perform acts of terror). Rather, the tribunal's sole function would be to pass judgment on a suspect's proper classification—criminal, soldier or terrorist. The proceedings would be adversarial, with a designated Judge Advocate providing zealous representation on behalf of the suspect in question.

In other words, the body would have a somewhat similar function to that of the "competent tribunal" for the determination of a prisoner's status required under Article 5 of the Third Geneva Convention. But unlike an Article 5 tribunal, it would be informed by the intent and character of the suspect, not by the rigid list of *indicia* stipulated by the Convention's authors half a century ago. Thus, a U.S. terrorism tribunal would be free to weigh such factors as where and how the suspect was caught, whether he has attended terrorist training camps, whether he has pledged fealty to a terrorist group and so forth.

If the tribunal were to find that the suspect is a criminal or lawful combatant soldier, then the executive branch would be obliged to treat him as such, with all the associated rights dictated by the Constitution or the various Geneva Conventions, as the case may be. But if a fair showing can be made that a man is a *bona fide* terror suspect—that is, one who is disposed to premeditated, politically motivated violence against noncombatant targets—the government should be given wide discretion to interrogate and detain as it sees fit.

THE EVENTS OF September 11, 2001, came as a great shock to the United States and the world. In its immediate aftermath, the government of the United States did the right thing by putting legal niceties to one side and pursuing the war against terrorism full-bore. But two and a half years have now elapsed since that awful event, and we have had an opportunity to see how poorly suited our legal institutions are in regard to prosecuting this new conflict. It is high time we overhaul them. The War on Terror might remain unwinable without it. □

Winning Over the Muslim Mind

Derk Kinnane

FACTS ARE stubborn things. And the facts, sad but stubborn, are that hatred of the United States in the Arab and Muslim world is greater today than ever before; that it shows no sign of diminishing; and that Washington's efforts to counter it have had little success.

Its most visible (and audible) efforts have been the public diplomacy of radio and television stations. None are winning hearts and minds to any great extent. Al-Iraqiya, the television station the Pentagon ran in Baghdad, was supposed to entice Iraqis away from the popular Al-Jazeera and Al-Arabiya—both of which are sympathetic to Islamic extremism. But an Iraqi

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media specialist was quoted in the *Washington Post* on January 8, 2004, describing it as technically backward, unconvincing in its message, and unable to compete with other stations.

A new American effort is Al-Hurra, meaning "The Free One", a satellite television station being set up in Springfield, Virginia, that will beam news and entertainment in Arabic to the countries reached by Al-Jazeera. Al-Hurra boasts that it is committed to being fair and balanced in what it broadcasts. Its staff of 200 is also to be largely Arab.

Al-Hurra, the biggest government-financed media venture since the Voice of America was set up in 1942, is not alone in targeting the Middle East. The United States already has two radio stations, Radio Farda ("Radio Tomorrow"), which broadcasts in Persian, and the Arabic-language Radio Sawa ("Radio Together"). Both carry news and a mix of Western and Middle Eastern pop music directed at an audience of young Iranians and Arabs.

Yet these various stations have little influence on either governments or the "Arab Street." Why? Ali Abunimah is vice-president of the Arab-American Action Network (a body that supports the Palestinian cause.) In August 2002, shortly after Radio Sawa began broadcasting, he presented a comparison on the website Electronic Intifada of bulletins put out the same day by the BBC and Sawa:

> In the evening the BBC and Sawa both reported on the visit to the region of the UN Special Envoy for Humanitarian Affairs, Catherine Pertini. While the BBC quoted Pertini as expressing deep concern about the grave situation, Sawa quoted her only as describing announced Israeli measures to relieve the plight of the besieged population as encouraging. The BBC highlighted a new report from the World Bank that put the number of Palestinians living in extreme poverty at over 50 percent. Sawa said nothing about that but repeatedly included an upbeat item about a planned meeting between Israel's defense minister and the new Palestinian interior minister.

It is not difficult to guess which news service Arabs find more credible.

That is not to deny that Sawa has won success of a kind. It has developed an audience of 15 million in the region. But Salameh Nematt, Al-Hayat's current Washington bureau chief, puts down Sawa's appeal to what he calls cultural schizophrenia, an appetite for American pop culture that is not infrequently coupled with rejection of U.S. policies in the Middle East.

"People think highly of America in the sense that it's superior when it comes to everything they enjoy", he said. "Everyone likes Michael Jackson and Jennifer Lopez, but they hate George W. Bush and Condoleezza Rice." Hansjoerg Biener, a German specialist in international broadcasting, points out similarly that listeners in Jordan in the 1990s tuned into the Israeli station, Kol Israel, because they liked its program formats even though they disliked its views. So, despite the 15 million who like its pop music, there is little reason to think that Radio Sawa achieves what it was set up to do: influence Arabs to view the United States in a better light.

Senior U.S. officials are not unaware of these difficulties. Last October, Defense Secretary Donald Rumsfeld commented to journalists on the failure of public diplomacy directed at the Muslim world. Ideas, he noted, need to be marshaled and communicated in ways that are persuasive to the listeners. "In many instances, we're not the best messengers", he admitted.

RECOGNITION of this prompted Congress to tell the State Department to come up with proposals to remedy the failures. Last October, a team brought together by the State Department issued a report advocating a new strategic

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direction in U.S. public diplomacy in the Arab and Muslim world. It was to be implemented by a reorganization of interagency activities, better use of the Internet, more support for the teaching of English, more staff with better knowledge of Arabic and other regional languages as well as of Muslim societies, and, yes, a big increase in funding. Yet even if these recommendations are implemented, they too will probably not have the desired effect. The reactions of Arab commentators to the report explain why.

Ali Fayad runs a Beirut-based think-tank dealing with relations between the Islamic world and the West. He found an assumption throughout the report that the problem is diplomatic rather than political. The report fails to acknowledge the fact that U.S. policies are the primary reason for Arab discontent. Abd al-Mahdi Abdallah, a Jordanian expert on Arab politics, has gone into more detail. At the Global Research in International Affairs Center in Herzliya, Israel, he listed a number of things that foster Arab anti-Americanism: military intervention and sanctions against Arab countries; U.S. military bases in the Arab world; support for authoritarian Arab regimes; policies seen as hostile to Islam and to Arab and Muslim U.S. citizens; American hypocrisy on democracy and human rights in the Arab world; above all, U.S. support for Israel against the Palestinians.

Even when Washington seems to respond to these criticisms, it carries little conviction. Though President Bush has pledged that America would no longer support dictatorships in the Middle East, no one supposes that the United States will withdraw support for, say, Saudi Arabia or Egypt (let alone democratic Israel) any time soon. After all, there is a consensus in the American political class that such policies are in the national interest. Yet another stubborn fact is that Arabs and Muslims are unlikely to pay attention to American public diplomacy until the United States takes a much more critical attitude both to autocratic Arab regimes and to Israel.

Indeed, anti-Americanism may be too deeply rooted in the Arab world to be seriously, or at least quickly, altered—even by changes in official U.S. policy. After all, current anti-Americanism in the Arab world dates back to the 1950s and was originally promoted by "progressive" secularists rather than by Islamists. As Reuven Paz wrote in the December 2003 issue of the *Middle East Review of International Affairs*:

> The roots of Islamist anti-Americanism were deep long before the rise of the Jihadist movement in the 1990s, or the Islamic revolution in Iran in 1979. They were developed by the anti-American atmosphere of secular Arab regimes, such as the Nasserist and Ba'thist ones, and encouraged by their alliance with the Soviet Union. . . . Secular Arab anti-Americanism was mainly political, and not part of a cultural worldview. But, it heavily contributed to the development of Islamist anti-Americanism, by contributing one very important element: the sense of a global Western conspiracy against . . . the Arab and Muslim world.

In fact, Arab anti-Americanism, whether among pious Muslims or secularists, has a common root in a sense of powerlessness and humiliation. The source of this affliction is not merely what foreigners have done to the Arabs. Hence, it is not public diplomacy alone that is going to change these relations. Change will have to come from within Arab society and the Muslim world.

Religion as the Problem

YET THERE is a way that Americans and others can help counter the Islamists who are waging war on the status quo in their own countries as well as on the West. In order to discover it, however, one must first understand that

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the source of identity among many Arabs has become a religious one. Kanan Makiya, an outstanding Iraqi chronicler of his country's misfortunes under Saddam Hussein, points out that since the Arab defeat in the 1967 war with Israel, anti-Americanism changed hands from secular nationalists to Muslim religious fanatics.

It is a transition that the crafty Saddam latched onto when he added the Islamic invocation, "There is no God but God and Muhammad is His prophet", to the Iraqi flag, halted the sale of Scotch (the Iraqis' preferred tipple in nightclubs), and built a huge mosque with minarets shaped like Scud missiles. In Iraq today, the insurgents of the Sunni Triangle claim to be protecting not Ba'athi socialism but Islam. In Central Asia and Southeast Asia, terrorism and insurgency are justified in the name of an Islamic identity that transcends national borders. The Islamic Movement of Uzbekistan may have begun by seeking to overthrow that country's repressive, corrupt and inefficient government, but it now aims at the establishment of a caliphate throughout Central Asia. Hence it has joined with Muslim Uighur separatists from China's northwest in an Islamic Movement of Central Asia. In Southeast Asia, supporters of Jamaah Islamiya—responsible for the 2002 bombing of a Western tourist resort on Bali that killed 202 people—finds supporters in Thailand, Malaysia, Singapore and Indonesia.

What is equally alarming is that an Islamic identity appeals not only to the ill-educated rural and urban poor but also to members of the urban elites. It is as much a source of anti-Americanism among Cairo intellectuals as among Pashtun villagers. As Paz notes:

> The Islamic socio-political revival, particularly since the 1960s, has been linked both to social changes in the Arab and Muslim world, and to the formation of an educated middle-class in different countries. This middle-class has in part distanced itself from Western secular modernization and the institutions of the modern state. . . . Another part of this class—mainly members of respected professions such as physicians, lawyers, pharmacists, engineers, academic scholars or merchants who have suffered from the state's tendency to nationalize the economy—have found in the Islam propounded by modern Islamists the solution to their problems. This process created a large and highly educated group of individuals, who viewed themselves as a social vanguard, and adopted Islamic and Islamist theories as the basis of their social struggle.

If religion is the vital essence of identity, it follows that the Islamists' war on regimes in the Greater Middle East, on the United States and on the West in general, is a war of religion, or at least one fought on behalf of a religiously garbed ideology. With the exception of some Islamist intellectuals, this ideology rejects most of the social, political and economic ideas of the modern world in the name of rejecting Westernization. What the Islamists seek is a return to the primitive Islam of 7th-century Arabia, seen as a lost golden age. Such Islamists, including the Wahhabi, call themselves *salafi*.

In Arabic, *salaf* means "pious ancestors", and *salafi* are those who follow the rigorous and puritanical Islam they believe was practiced in the earliest days. So in Algeria there is the Salafi Group for the Call [of Islam] and Combat. This organization, which has connections to Al-Qaeda, is engaged in a guerrilla war against the "apostate" Algerian government. One of their leaders is Nabil Sahrawi, also known as Abu Ibrahim Mustafa. In a recent interview with the Arabic daily *Al-Hayat*, Sahrawi says:

> The war in Palestine, in Afghanistan, in Iraq, in Algeria, in Chechnya and in the Philippines is one war. This is a war between the camp of Islam and the camp of the Cross, to which the

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> Americans, Zionists, Jews, their apostate allies and others belong. The goal of this war, which they falsely called a War on Terror, is to prevent the Muslims from establishing an Islamic state whose regime will be in accordance with the Quran and the Sunna of the Prophet, and which will constitute a source of pride and strength for the Muslims. America and its allies the Jews, the Christians and the apostates will not cease their war on Islam before they remove the last Muslim from his religion and bring him into apostasy.

As this is being written, Muslim clerics in Kanu state in Nigeria have succeeded in halting vaccinations against polio in the midst of a recrudescence of that disease because, they claim, the vaccinations will make Muslim women sterile as part of a Western plot.

Westerners, however, cannot be overly condescending about such absurdities. Islamism is reminiscent of certain Western ideologies, such as that of National Socialism, which combined modern methods of seizing power with a cult of a romanticized past. For example, the German SS cast itself as a recreation of the medieval Teutonic Order. Ladan and Roya Boroumand wrote brilliantly in a recent *Journal of Democracy* essay that

> The militant Islamists' aestheticization of death, glorification of armed force, worship of martyrdom, and faith in the 'propaganda of the deed' are all attributes of the Western far-Right and some of the far-Left in the last century.

Or, as Margaret Thatcher put it, "Islamic extremism today, like Bolshevism in the past, is an armed doctrine."

The reprise of the Leninist concept of a vanguard elite is evident in the words of Abdallah Azzam, a Palestinian disciple of the most influential Islamist ideologue, the Egyptian Sayid Qutb. Azzam wrote:

> There is no ideology, neither earthly nor heavenly, that does not require such a vanguard that gives everything it possesses in order to achieve victory for this ideology.

Religion as the Solution

HOW CAN the United States respond effectively to this armed doctrine? Not by radios playing pop music or television stations showing the happy lives of prosperous Muslims in the United States. Simply put, the only really effective way would be to provide an international platform for those Muslims who seek to reconcile Islam and the modern world rather than to return to the 7th century. This is not impossible. Voices have been raised in many countries of the Muslim world against Islamist extremism. But there is no organization linking their efforts, no Anti-Islamist International, certainly nothing that rivals the reach of what the U.S. intelligence community refers to as the "Jihad International." Anti-Islamists notably lack such a trans-border system. The West could assist in establishing one by providing funding and organizational support.

There is a precedent for such support. The Congress for Cultural Freedom (CCF) played an important role in the war of ideas with the international communist movement. The Congress first convened in Berlin in June 1950. Delegates included Sydney Hook and James Burnham, both professors of philosophy; novelist James T. Farrell, playwright Tennessee Williams and actor Robert Montgomery; Arthur Schlesinger, Jr., historian and later aide to President Kennedy; and David Lilienthal, chairman of the Atomic Energy Commission. The meeting persuaded some prominent cultural figures to abandon neutralism. A major element in the success of the CCF was the prominent role it assigned to voices of the non-communist Left, such as the doughty polemicist Arnold Beichman and labor union leaders. Eventually the CCF had offices in 35 countries, employed dozens of staff, brought

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out twenty prestigious periodicals, held art exhibitions, owned a news service, organized conferences and rewarded musicians and artists with prizes and public performances.

For the ideological combat against Islamism to be similarly effective, Muslims must conduct it. Others can help by providing material aid, both money and a secretariat to assist in making anti-Islamist arguments heard throughout the Muslim global community. But the active, leading and dominant figures in such a movement must be Muslims from various backgrounds, such as, say, an Iraqi Shi'a cleric who wishes Islam to benefit from being kept out of direct engagement in politics; a Sunni Turkish entrepreneur who wishes religion to play a stronger social role without subjecting the state to clerical domination; a woman scientist from North Africa; a scholar from the Muslim immigrant community in Europe. The evolution of the governing Justice and Development (AKP) party in Turkey from a largely Islamist movement to an Islamic version of a socially conservative and pro-Western party shows what might be accomplished, although we should keep in mind that Arabs are not Turks.

As for the agenda of the fight against Islamism, that also is for Muslims to set. But they will certainly have to deal with three Islamic concepts. These are: jihad as understood to mean holy war; *sharia*, divine law derived from the Quran, the example of the Prophet and custom; and *ijtihad*, an Islamic concept that means thinking afresh about Islamic doctrine. Definition or re-definition of these terms and what role they should have in Muslim life is at the heart of the ideological conflict between Islamism and the rest of Islam. Only if the anti-Islamists succeed in winning popular acceptance of their interpretations of these concepts will there be a renewal of an Islamic civilization that can live in peace with the West and secure a worthy place in tomorrow's world.

WHAT DOES all this have to do with anti-Americanism? To put it simply, an anti-Islamist international would undercut the main source of anti-Americanism in the world today. That is *not* the same thing as directly combating anti-Americanism. Quite the contrary. A credible anti-Islamist platform would tolerate and even include some expression of views critical of America and the West while urging the Muslim world to cure itself of its cultural, political and social handicaps. Anti-Islamism can become the catalyst for the renewal of Islamic civilization by reinvigorating Islam as an intellectual endeavor able to come to terms with the world.

Islamist violence gives rise to another caveat: the physical danger to Muslims who participate in an anti-Islamist international. In Afghanistan, a resurgent Taliban has killed mullahs of whom it disapproved. A similar fate has befallen Iraqi clerics regarded as pro-American. Ensuring the safety of its participants would be an early task of an anti-Islamist Muslim International.

That said, the principal problem is political, as it was with the CCF. In 1967, it became public knowledge that the CCF had been bankrolled by the CIA. That produced a cannonade of disapprobation from the liberals of the day whose values had been transformed from the anti-totalitarian priorities of the early days of the Cold War. Something similar is bound to happen to a Western-funded Muslim International. It is simply in the nature of things that covert Western funding, whether by governments or philanthropists, would sooner or later be exposed. Overt support would be immediately attacked. But as there can be no transnational Islamic anti-Islamist effort without such funding, such denigration must be accepted as simply the cost of doing business. Or perhaps we could convince the House of Saud to fund this movement instead of the Wahhabis.

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NO ONE can forecast how long this effort will be needed. Nasser's pan-Arabism lasted for 15 years until the Arab defeat in the Six-Day War. The French "progressive" intelligentsia remained loyal to the Soviet Union until the translation in 1974 of Solzhenitsyn's *Gulag Archipelago*. Combating Islamism is likely to be an even longer haul. But the effort is well worth making. The success of anti-Islamist Muslims in the war of ideas would benefit the West, the Muslim *umma* (community) and the world as a whole. Their failure would mean a war of civilizations. □

A Civil Solution

Jason McCue

WE ARE AT war against a new form of terror. 9/11 was significant, not least because it launched Al-Qaeda as a household name but also because it signaled the arrival of neo-terrorism: traditional terrorism packaged for the 21st century, alert and adapted to the circumstances and challenges of the new millennium. Until we take the war to these new battlegrounds, to address terrorism's newfound effectiveness, we will not win the War on Terror.

Technologically, the terrorists have responded inventively to our conventional state-led security responses to the threat they pose.[1] Governments have continued to upgrade their security measures, as well as to concentrate on disrupting terrorist financing (particularly narco-terrorism) and the rogue states and individuals that sponsor them.[2] But conventional state counter-terrorism methods, however necessary, tend to palliate rather than provide a remedy to the disease. We need to consider counter-measures that are neither conventional nor government run.

And prevention can be better than cure. Neo-terrorists such as Al-Qaeda have effectively created an ideological brand that they can franchise to those who are the subject of poverty, ignorance and injustice throughout the world. The neo-terrorist uses the media not just for self-publicity but also as a means of instilling fear (into every TV home), as a recruiting device and as a channel to justify its actions to the public. We have no choice but to wage a public-relations war against the culture that sustains terrorism. That means inverting many of the images that the terrorist seeks to propagate and from which they gain benefit.

A terrorist group's cause is dependent on its being the underdog or the victim—and on its enemies being large oppressive forces: Asymetrical warfare is natural to terrorism. Central to such self-serving justification is the painting of governments—

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[1]And we can expect further innovations on their part. For instance, cyber units have become the norm in terrorist organisations; there have been reports of tankers being briefly hijacked for the apparent purpose of training terrorists to steer them. Of course, there is ample evidence of terrorist training in and use of NBC weapons.

[2]See, for example, Peter L. Fitzgerald, "Tightening the Screws: The Economic War Against Terrorism", *The National Interest* (Winter 2001/02).

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whether British, American, Israeli or Serbian—as enemies of humanity while simultaneously de-humanizing their victims. Terrorist propaganda tends to justify the damage its campaign causes based on the morality of its cause. How often have we heard the terrorists describe their murders as simply "casualties of war"?

Let us consider the possibility that victims, their families and their community of supporters might be a better counter-terrorism delivery mechanism than governments. But how could ordinary citizens take the fight to the terrorists? How could they take the fight to the new public-relations and financial battlegrounds?

THE FAMILIES of the victims of the Omagh bombing in Northern Ireland have found a way. The Real IRA (RIRA) murdered 31 people in cold blood on August 15, 1998. The police ascertained from intelligence who was responsible but they lacked admissible evidence for the criminal law to stop the culprits from continuing to live in the community they had all but destroyed. But the bereaved and injured families, as well as the community in which the terrorists lived, were not content to sit back and do nothing. They commenced a unique civil law suit in 2001, which will come to trial this year. They are suing five individuals and the RIRA as an organization. They seek to rely on the inherent advantages in civil law that enables hearsay evidence to be presented before the civil court, which generally has a burden of proof more favorable to the plaintiff.

Their legal action is, in effect, a vehicle for a wider public-relations and media campaign that has targeted the IRA, their domestic and American supporters, and terrorist ideology itself. Plainly, such individuals would have preferred to be simple members of the public with no personal investment in this war against terror. Nevertheless, as one victim of terrorism who was asked why he was participating said, "I didn't find the IRA, they found me."

The campaign went into battle against the highly successful IRA propaganda machine. It sought to explain real victimhood and ensure that victims were not just seen as numbers on another terrorist news item that could be forgotten. They decided to humanize their plight while de-humanizing the IRA. Yet, the neo-terrorists—in this case, the RIRA—were unable to portray their victims as large oppressive forces hostile to humanity (or even civil liberties for that matter).

Their campaign gathered support from former President Bill Clinton and President George W. Bush. Influential figures such as Peter Mandelson and Sir Bob Geldof saw the merit of the families' community stand against terrorism and spearheaded their legal campaign. Recently, even the British government acknowledged the families' work in the battle against terror, changing the law to allow special interest government funding for such class actions against terrorism.

Why is their campaign so important? A community stance is a new, powerful and unconventional weapon against terrorism. The state is disadvantaged in its war because of the inherent power inequality *vis-à-vis* terrorists. The latter's propaganda machine will always portray itself as a weak David facing an oppressive, imperialistic Goliath. This often turns conventional counter-terrorism measures into propaganda victories that further the terrorists' support base and cause. A civil action, however, juxtaposes a cold-blooded murderer with a mother who lost her son. It provides a humane and emotional media campaign that even the most adept terrorist spin doctor cannot win.

The Omagh case has not yet come to trial, but the wider campaign has already notched up important victories along the way. The families' campaign has frustrated the RIRA's and its sympathizers' fundraising

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events by orchestrating peaceful demonstrations outside the venues in the glare of TV cameras. It has publicly shamed supporters in the press, which has led to them being ostracized in their community. Endless lobbying has led to the RIRA being designated as a Foreign Terrorist Organization in the United States, which means that funds can now be frozen. RIRA terrorists have been observed moving their assets in anticipation of the litigation. Apart from the inconvenience of this to the terrorist group, such actions have enabled the authorities to highlight and track the assets they move. If the families win, large damages could be enforced against the perpetrators (some of whom have amassed great wealth), the RIRA (which has sizable assets around the world) and supporters of their terror campaign.

Another goal of a civil action is compensation. The fear of losing the family home and fortune can become burdensome to a terrorist. The effectiveness of this deterrent does depend on the terrorist group in question. Many *shahids* are recorded in their martyrdom videos as claiming that becoming a homicide bomber will increase the pride and position of their families. The deterrent of death and the criminal law is not enough to stop them, but perhaps the ostracization and financial ruin of their families might be. If the Omagh precedent made an Irish terrorist think twice before committing another terrorist act, or the mother of a *shahid* to make a compassionate plea to her son, the effort involved in such campaigns would be worthwhile.

Civil actions also threaten a terror group's financial base. The globalization of terrorism facilitates funding from other terror groups, organized crime syndicates and state or private sponsors of terrorism. The RIRA is estimated to receive £5 million a year while the running costs of their campaign are less than £500,000 per year. Civil suits can find rich pickings. By targeting the sponsors personally, a disincentive to fund or profit from terrorism will be formed.

Along with conventional security successes, these families, in the eyes of security experts, have been responsible for curtailing the growth of the RIRA. In short, the families-led campaign has cut off the fuel of terrorism (positive publicity) and dried up the oil that greases the cogs of the terrorism mechanism (support and recruitment). The RIRA is no longer the threat it was prior to the Omagh Writ being issued.

SOME HAVE argued against this new form of unconventional warfare against terrorism. Concerns have been expressed that such actions would interfere with the traditional mechanisms of state security, enforcement and criminal justice. Such arguments raise legitimate points, but fall by the wayside when one considers the fundamental compatibility of the new, civil law-focused efforts with the conventional law enforcement ones: The new effort is not a competing form of interloping justice, but rather an auxiliary. For instance, many in communities where terrorists are harbored are reluctant to cooperate with the police or other state institutions. Yet those same potential witnesses have less compunction against involving themselves in a civil action which is viewed as helping their own (think of a widow who lost a husband in a mindless attack).

Others who object to the new efforts fear that civil actions might prejudice a criminal investigation or prosecution. As terrorist cases are run in "Diplock" courts—judges without juries—it is quite impossible for a fair trial to be prejudiced by tandem civil litigation, for it is a fundamental tenet of law that a judge cannot be prejudiced by other litigation or media coverage. But the Omagh civil action demonstrates that it can coincide with an ongoing criminal investigation without causing any detriment. Since the Writ was

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served in the civil action, every named defendant either has been convicted, charged or taken into police custody on other terrorist charges. This in itself highlights another important merit of the civil action campaign: that it has kept up pressure on politicians and the police to bring the perpetrators to justice.

Equally important to a community is seeing that justice is done. Since a civil action is not political in the sense that there is no public prosecutor—no agent of the government seeking redress on behalf of those it represents—its objective is to seek justice that is impervious to political convenience or a peace process that often requires a blind eye being turned to the specific in favor of the greater good. The Irish problem has rightly required compromise; this has materialized in many ways, such as prisoner release. Unfortunately, this has had a demoralizing effect on everyday people, who see it as a forfeiture of justice. It is satisfying that a private initiative such as the Omagh civil action can go some way to fill the void left by a peace process in a manner that cannot be embarrassing or attributable to the parties directly involved in it, particularly the government. Murderers might not go to jail, but civil actions might saddle them and their supporters with public accountability and financial ruin.

THE effectiveness of these bottom-up efforts could be far-reaching. Why not encourage civil law campaigns by victims of suicide bombers to target the thorny issues of European companies and charities that allegedly fund groups such as Hamas? After all, are not civil commercial lawyers the best people to chase the money? If it would cause the state embarrassment in its foreign policy to tackle such issues directly, why not allow non-attributable private initiatives to indirectly achieve the moral and practical imperatives of the War on Terror that cannot be achieved through diplomacy? Why not consider a civil action in Sierra Leone to redistribute land and assets (a form of property identification) back from rebels to the dispossessed and victimized? Would a Freetown court judgement not provide a just mandate for the United Nations to enable equitable property redistribution? All is possible in legal and practical terms if the international will is there to foster them. What is prudent to pursue at the state level might be so at the civil level.

Funding and expertise must be made available. It would be morally reprehensible to compel victims once again—such was the case with the Omagh families—to collect money in the street to fund their public interest campaigns. After all, the cost of the civil action equals the price of one cruise missile fired at Iraq. The British government has found a way to provide funding to such an action in a way that does not open the floodgates to those who seek to abuse it or turn it against the governments. However, to protect the independence of such schemes, there is certainly merit in an international foundation to encourage and fund such measures. Better still, should not the United Nations look to promote such initiatives if it is reluctant to involve itself in more conventional responses to terror?

A reckoning is upon us. The terrorists live in a world far more diverse than that of the Cold War, which required a securicratic response to the needs of civil societies. New unconventional responses must harness the power of ordinary people and seek to tackle ignorance, poverty and injustice on all contemporary battlefields. These are not just liberal ideals in today's world; they have become a necessity in the "War on Neo-Terror." Success on these new fronts will accelerate the arrival of a terrorist ice age that could wipe the scourge of terror from our lands. □

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Yes, He Has No Bananas

Mugabe Runs Out of Time ... and Everything Else

Joe Bob Briggs

WHAT possessed Robert Mugabe to start wearing the wispy little Hitlerian mustache? Fortunately, he has the big saucer eyeglasses and the statesmanlike receding hairline to announce his grandfatherly intentions. We could send over the cast of "Queer Eye for the Straight Guy" to straighten him out, but unfortunately, the entire cast would be seized and imprisoned for ten years as soon as they set foot in Zimbabwe, under Mugabe's "worse than dogs or pigs" statutes. Mugabe used these laws to throw Zimbabwe's ex-president, Canaan Banana, into prison, claiming all gays contribute to the AIDS crisis (highest infection rate in the world; 20 percent of the Zimbabwean population; 2,000 dying each week). Besides having a name that *sounds* like someone who would march in the Gay Pride Parade, Mr. Banana had been caught *in flagrante aardvarko*, and so the dignity of the state was at risk.

Robert Mugabe must get a lot of email from the Pope. As the last great Roman Catholic dictator, Mugabe can't risk the confessional in a nation full of spies and enemies and vengeance-seeking widows, so I would imagine he improvises. He uses the old "enemies of the state" stratagem. There were those who said that Canaan Banana—sorry, I can't help repeating the name—was simply a political enemy who was conveniently removed when he misused his banana. But normally, Mugabe is not shy about simply saying, "He's a traitor." Virtually none of the traitors are traitors in the Western sense. They are traitors only under the narrow definition of failing to support the Zimbabwe African National Union-Popular Front Party. (And doesn't that just trip nicely off the tongue? It must be *hell* at outdoor rallies. "All together now: Zimbabwe African National Union-Popular Front Forever! Okay, again! Zimbabwe African...")

At any rate, Mugabe's willingness to designate virtually anyone, including the official weather forecaster, as an enemy of the state, is a fairly common occupational quirk among despots both ancient and modern. In Mugabe's case, it's a self-deception, but I think it's an honest self-deception. He really does think that any enemy of him personally is an enemy of Zimbabwe. After all, he has all those United Nations citations to prove that he's a good guy, doing the best he can.

I think it's important to Mugabe to be remembered as a good guy. He's eighty years old and has so many ailments (cancer of the throat, cancer of the prostate, at least one stroke) that he must know he's dying, and yet he holds onto power like a possessed man. (Somehow you can't imagine Mugabe taking one of those Boston

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University retired-dictator-in-residence gigs.) He's reached the stage that corresponds to the last three years of Ivan the Terrible's life, when suddenly Ivan decided he needed to find the names of every single person he had ever killed, take them to a church, and have a priest read them out and bless them. This was a considerable undertaking, requiring thousands of bureaucrats inquiring in hundreds of places. Ivan, like Mugabe, was a religious man, and he sensed a reckoning.

What's odd in Mugabe's case is that while he's cracking up, he's also still cracking down. Two of his most recent legal fictions—the Access to Information and Protection of Privacy Act (to deal with the press) and the Public Order and Security Act (to deal with opposition parties)—are reminiscent of Stalin in the 1930s. He's basically given himself the right to arrest, imprison, torture, suppress and—that staple of Marxists everywhere—*invent* anything that he needs. I'm not kidding about the weather forecaster. When the national weather forecasting service recently predicted two more years of drought, Mugabe seized control of the service and ordered that all future forecasting be in the form of secret memos to himself, followed by rosy rewriting for the official press release. Mugabe's brain right now regards the weather itself as subversive. (Yeah, nature as enemy: it's like when Xerxes ordered the Hellespont lashed a hundred times for destroying his pontoon attack bridge to Europe.) The last three years have pretty much ruined his international reputation, so all he has left to fight for is the idea that no one ever turned him out, that the people still want him, that Zimbabwe *is* Mugabe.

Well, unfortunately, Zimbabwe is not even Zimbabwe anymore. Mugabe may get email from the Pope, but what the rest of us get is African spam from guys claiming to be Mugabe's relatives or Zimbabwean government officials who have stolen money they want to slip into your account. There are several reasons that Zimbabwe is the most popular country used for spam con games. One is that it's impossible to actually check anything in Zimbabwe. The government is in chaos, the telecommunications system barely works, and most of the honest bureaucrats have been driven out. The idea that a Zimbabwean official would even *have* functional email is a stretch. The second reason is that there are hundreds of relatives and cronies who *have* stolen money from the nation, not to mention the high-ranking military officials and Mugabe relatives who have been trying to sell "blood diamonds" from the Congo on the black market. If you do a Google search on "Zimbabwe corruption", you get 492,000 links. Sure the spammers occasionally try a new face—Charles Taylor, Saddam Hussein—but they always return to the man whose name is high-concept for thievery.

And yet it wasn't always that way. Despite his violent past—ten years in prison under Ian Smith's Rhodesia, six years of guerrilla warfare in which he fought with Joshua Nkomo almost as much as with Smith—he was acclaimed at his 1980 inauguration as the new breed of African leader who would bring white and black together, heal old wounds, and use the wealth of the country to bring education and job training to the masses. What no one noticed is that even then Mugabe had all the paranoiac traits of a tyrant. He could never accept that most basic idea that preserves democracy—the idea of the loyal opposition. (We shouldn't be too harsh on him. The French in 1789 didn't understand it either.) In Zimbabwe, a political enemy was a mortal enemy, so one by one he cut the various interest groups out of the picture.

First to go, of course, were the white farmers. In the 1979 deal brokered by

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Britain to allow majority rule, the whites were to retain twenty protected seats in a Parliament of one hundred. But Mugabe didn't like minority parties. He didn't like Ian Smith's minority party (banning him from politics in 1987 and taking the twenty parliamentary seats away), and he especially didn't like his old revolutionary comrade Joshua Nkomo's minority party. In Nkomo's case he not only outlawed the party, but he commissioned the famous Fifth Brigade—military killers financed by China and trained by North Korea—to wipe out 25,000 pesky citizens from the minority Ndebele tribe. (These are the same Ndebele that Cecil Rhodes had to fight off, then buy off, then fight off again when he founded Rhodesia in the 1890s. By contrast, Rhodes pacified the nation with a body count of only 5,000.)

By the time the Movement for Democratic Change (MDC) showed up in the late 1990s, Mugabe was outflanked. Ian Smith was a member. The ailing elderly Nkomo was a member. And for once Mugabe's paranoia was justified: it seemed that a majority of Zimbabweans were members. With too many people to intimidate, torture or kill, he resorted to that tried and true formula for rousing the masses to your side—blame everything on the rich white farmers. It took Mugabe exactly three years to destroy his own country. Somewhere along the way he also dropped out of the British Commonwealth, thereby cutting off any chance of help from Tony Blair. And if R.W. Johnson's argument in this issue is correct, Mugabe may even be in cahoots with Al-Qaeda, thereby increasing the chance that Tony Blair will cut off his head.

One of the remarkable things about the crumbling Zimbabwe was the strength of the judiciary. Time after time, Mugabe's directives, policies and actions were declared illegal by the courts, forcing him to change course if for no other reason than to avoid international sanctions. It seems that some of those old British institutions, but especially the High Court, just wouldn't give up. Even controlling 147 of the 150 seats in Parliament, Mugabe was unable to hold onto laws that violated the original 1980 constitution. A government land seizure is such a complicated legal procedure that many of the white farmers—including Ian Smith—had held onto their property simply by repeatedly proving to the court that the expropriation was illegal and, furthermore, there was no compensation. Even as Mugabe was jetting back and forth to hospitals in South Africa in January 2004, he was declaring a new law—that all farms owned by whites could be seized at any time, without papers, without warning, and without compensation. Maybe *that* will get the job done.

A Hayseedic Regime

AND YET Mugabe is not a stupid man. He must know that running the white farmers off is tantamount to returning the land to useless savannah and barren granitic dust. Rhodesia was a miracle of scientific farming, coaxing crops out of soil so thin that it usually has to lie fallow every third year and where scrupulous crop rotation is the rule. (The best African tobacco always came from Rhodesia, but it was hell on the soil.) Like Texas, where it took 150 years to build up a body of science necessary to raise cattle without destroying the whole environment, Zimbabwe was a place for the professional agronomist, not the hayseed. Now the hayseeds rule: all of Mugabe's friends and supporters own farms, and these farms will lie in ruins. Maize, the one crop that has been grown there for several centuries, must now be imported. The country is on the verge of literal bread riots, ever since Mugabe set the official government price for bread at half the baker's cost of making it. His

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country is starving, and though he doesn't quite advocate letting them eat cake, he suggests in his speeches that the cakes *should* be there were it not for the knavery of Blair, the Commonwealth and greedy white citizens. What would he have the whites do, though? Stay on as ploughmen?

In other words, he appears to be losing it. As other African dictators have learned, the Marxist doctrine in which he was schooled in the 1960s doesn't hold up when an economy starts a downhill slide. Mugabe is one of the most overeducated despots in history—he has six degrees *in addition* to his first one from Fort Hare University in South Africa—and yet some rear lobe of his brain has taken over and turned him into a tribalist. The only way you can explain the actions of the past three years are in terms of various blood feuds.

He denies it, of course. He trades on his Roman Catholicism, noting he's a product of Jesuit missionary schools. Even though his private secretary bore him two children, and he continued to frolic with her while his wife was dying of cancer, he didn't actually *divorce* the first Mrs. Mugabe, and he soon made an honest woman of the second—who is 41 years his junior, by the way. (By autocrat standards, these are mild sexual peccadilloes.) But although he's undoubtedly committed a number of mortal sins—murder-by-proxy being the most common one—it's the venal ones that are bringing him down. His manipulation of the parliamentary election in 2000 and the presidential election in 2002 brought forth stories unheard of since Chicago in the 1920s: people voting at gunpoint, opposition voters being led off to wooded areas, police and soldiers being allowed to vote multiple times. What's remarkable is that Mugabe had this massive election fraud laid out in advance. He knew that his time had run out and he couldn't survive an honest poll.

Unfortunately for his "president for life" future, Mugabe left his opponent, Morgan Tsvangirai, as a virtual martyr, with the added irritation of being a martyr who was technically still breathing. Mugabe set out to deal with that with a charge of high treason, setting up a show trial that is still unfolding and, much to Mugabe's chagrin, may be a better show for Tsvangirai and the MDC. (It's that pesky independent judiciary again, still insisting on actual evidence. Makes you wonder how come those judges are still alive...)

The defenders of Mugabe—yes, there *are* still a few left—point out that it was the barbarism of Rhodesia that made the man what he is today. Ian Smith held him in jail for ten years. Mugabe's revolutionary cause was just. He was embittered by the six years of fighting from his base in Mozambique. Unfortunately, all these arguments collapse when you look at Mugabe's own willingness to be a colonialist. His intervention in the Congo had no strategic purpose for Zimbabwe, no goal other than personal enrichment. It was this folly, in turn, that brought on his hatred of journalists, especially foreign ones. As long as they were reporting on mere genocide, he was content to let them prattle on. As soon as they started naming diamond smugglers, most of whom were so close to Mugabe that he probably saw them each evening at dinner, there were a series of brutal interrogations of Harare journalists, and expulsion of the foreign ones. (The most famous case is that of Andrew Meldrum, an American reporter for *The Guardian*, who had lived in Harare for two decades before he was hustled onto a plane and sent to London. He had been previously protected by last-second High

One of Mugabe's ministers went so far as to advocate withholding grain supplies from AIDS victims to speed up their deaths.

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Court orders, but Mugabe's men finally simply *kidnapped* him and put him on an Air Zimbabwe flight—torture in itself—before any lawyers could act. Oh yes, the official charge: "publishing falsehoods." There are no more foreign journalists based in Harare, although occasionally a reporter will slip into the outlying provinces, since there's virtually no border protection.)

SOUTH Africa's Archbishop Desmond Tutu, who is technically Mugabe's spiritual father, has said that Mugabe is now "a caricature of an African dictator." He plays the race card against Blair and Bush. He blames the 350 percent inflation rate on "foreign interests." Forced to explain why his health care system, once the greatest in Africa, can't even begin to deal with AIDS, he blames the whole thing on "unnatural sex acts" and virtually criminalizes the disease. (One of his ministers once went so far as to advocate withholding grain supplies from AIDS victims to speed up their death, saying it will make the country stronger if the population is quickly thinned from 13 million to six million.) He long ago alienated the International Monetary Fund to the point that there's virtually no possibility of a bailout as long as he's in office. As they say in the insurance game, we've written off the country as a total loss that'll bottom out regardless of what we do. To give you some idea, the Zimbabwean dollar—which trades at an official rate of 55 to the American dollar but 1,600 on the black market—is expected to stabilize because Mugabe can't create any more of them. The actual presses that print the money don't work, and the country doesn't have enough foreign currency to buy *ink*.

And, increasingly, he has become a goon. During the March 2002 elections—which everyone except Mugabe believes were won by Tsvangirai—he dispatched police and military to ensure a 90 percent turnout in Mashonaland, his stronghold, while intimidating voters likely to vote for Tsvangirai. (This would include virtually every white, every trade unionist, and every high-school-educated black, plus 90 percent of the populations of Harare and Bulawayo.) By confiscating the farms, Mugabe had already exposed 1.5 million black farm workers to starvation, so in the run-up to the election, the local chiefs and headmen were told that if they didn't produce a ruling party victory in their areas, they would not be receiving any food. In the 2000 elections, Mugabe was so determined to keep Tsvangirai out of Parliament that Tsvangirai's election agent, Tichoana Chiminya, and another MDC activist were both burned to death by an officer of the Central Intelligence Organization (CIO).

That's the same CIO that is pretty much the only healthy government agency remaining. They're the ones that kidnapped Andrew Meldrum. They're the ones that systematically commit acts of violence against the press. Harare's *Daily News*, which may have the bravest staff of journalists in the world right now, has been bombed three times in the last two years. When the paper reported that Mugabe and Speaker of Parliament Emmerson Mnangagwa had received $3 billion in connection with the building of the new Harare International Airport, three reporters were jailed for criminal defamation.

But the jailing is the easy part. If you're a member of MDC or a journalist, you can also be targeted by Mugabe's "youth militias"—children with guns—who carry out abductions and have secret camps where torture takes place. They're fond of techniques like piercing the genitals with bicycle spokes, forced drinking of poison, beatings with iron bars and electric cables, electrocution, gang-raping farm workers' wives in order to force the workers to leave their jobs, and—most common—beating the soles of the feet

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with wooden planks studded with nails. The life expectancy in Zimbabwe today is 39, and it's not all caused by AIDS. Asked by Voice of America what he had to say about the torture of two journalists, Mugabe was defiant: "I will not condemn my army for having done that. They can do worse things than that."

Through all of this, Mugabe manages to keep some public semblance of being a democrat. He tells the world he's anxious to hold talks with Tsvangirai's opposition party—although the talks never seem to get scheduled. He stays in touch with Thabo Mbeki, president of South Africa, assuring him that peace, prosperity and democratic elections are just around the corner. He tells the British Home Office that he's offering an olive branch to all those 600,000 Zimbabwean expatriates crowding the Isles—and, amazingly, the Home Office believes him! "It has now been deemed safe for Zimbabweans to return to Zimbabwe", the bureaucrats wrote in a recent press release. (Most of those expatriates would commit suicide first. One of Zimbabwe's star football players is a street sweeper in Luton and very happy to stay there.)

Meanwhile, Mugabe's message for local consumption is fear and loathing. Tsvangarai himself has been thrown into prison, beaten unconscious, and hurled from a ten-story window. If he loses his court case, he'll be executed. Beatrice Mtetwa, a Harare lawyer who was named Human Rights Lawyer of the Year, was taken into custody and beaten up shortly after winning one of Andrew Meldrum's acquittals. Trade unionists are routinely rounded up, since they represent the source of Tsvangarai's power. And increasingly, the security forces are cannibalistic, with police officers themselves being arrested for failing to take aggressive action against political opponents or other undesireables. Refusing to report for work—in a country with 70 percent unemployment—is often a pretext for a beating or detention, although there's nothing Mugabe can do to the doctors because they stand by for lack of equipment, drugs and bandages. The one medical school in the country now graduates eight students per year, four of whom go abroad to work.

The Race Card

THE MAN who was once the symbol of evil for some in Zimbabwe—Ian Smith—runs his 4,000-acre farm, raising oranges, potatoes and cattle about 220 miles southwest of Harare. Technically he's banned from politics, but he works quietly behind the scenes to bring some semblance of normalcy. The fact that he still farms there is probably Mugabe's strongest asset. He can point to Smith as evidence that he's not persecuting the whites, while at the same time looting the farms of people who bought their property *after* 1980. (80 percent of the white farmers acquired their land legally after the new constitution was written.) And yet the outside world, for the most part, doesn't perceive this as persecution. When Mugabe speaks in America, it's usually at a church in Harlem, where he's treated like a Mini-Me Nelson Mandela. The whites are all racist interlopers and conquerors. The blacks are simply taking back what's theirs.

And yet history doesn't really bear this out. The original inhabitants of Zimbabwe were the San, or Bushmen, not the Shona and Ndebele who live there now. The Shona and Ndebele took the land by conquest. (Most of the surviving 100,000 San live in the western Kalahari, with others in Botswana, Namibia and southeastern Angola. There are none in Zimbabwe.) In fact, possession by conquest was the nature of Zimbabwe right up to and including Cecil Rhodes' expedition on behalf of his British South Africa Company, and he was not even the first European to do it. The

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Portuguese had claimed parts of it as early as the 15th century. Then the Ndebele, fleeing the Zulu chief Shaka, rampaged northward, killing, pillaging and eventually dispossessing the Shona of the land. The Shona had been sedentary farmers, but for half a century the Ndebele continued to enslave and plunder them, a pattern that continued until Rhodes brought stability to the region. From the Ndebele point of view, Rhodes was a conqueror. But from the Shona point of view, Rhodes was a liberator. He was not *that* different from other conquerors and liberators who had come and gone during the previous 15 centuries.

By the time Southern Rhodesia became a self-governing colony in 1923, the whole region had been transformed—by copper, gold, minerals, corn, tobacco and cattle. Contrary to the way history has been rewritten, the colony was set up at the beginning as an aspiring meritocracy—or, in the words of the most famous of its prime ministers, Sir Godfrey Huggins, a place where there were "equal rights for all civilized men." (The key word is civilized, but it does not denote race.) That land is vanished under Mugabe, and that kind of idealistic thinking is vanished as well.

Mugabe's slogan should be "equal rights for all my friends." This is, of course, partly the fault of the Rhodesian Front that declared independence in 1965, throwing out the Godfrey Hugginses of the world who truly believed in building a black middle class, and giving in to the fear that *any* form of black majority rule would be suicidal for the farmers. There's enough blame to go around on all sides, but today Zimbabwe is dying, and so is Mugabe. You could probably compute the number of bodies that must be sacrificed for each day Mugabe remains alive. Those bodies have a value, though. One of the few ways to get gasoline for your car is to prove to the government that you need it for a funeral procession. Thanks to enterprising entrepreneurs, you can rent a dead body for the day, just long enough to fill up. It bears repeating: "All together now: Zimbabwe African National Union-Popular Front Forever! Okay, again! Zimbabwe African ..." □

Mugabe's Despotism by the Numbers

Overall megalomania rating: 91, trending upward
Sexual proclivities: confused Catholic: declines condom use with mistresses
Meetings with Jimmy Carter: 1
Death index: 76 (prefers beating "enemies" to the *point* of death)
Destruction index: 82 (for farmland alone)
Depletion of natural resources index: 100 (extending even to neighboring Congo)
Preferred form of elections: An honest count of coerced multiple balloting
Parliamentary façade index: 91
Toys: Diamonds, airports, private jets
Preferred weapons: Electrical cables, studded wooden planks
Preferred structure of goon squads: Teenaged rapists and mercenary cops
Theory of government: The people are children who must be closely confined
Sartorial preference: Italian suits
Preferred housing: Fortress mansions
Nepotism index: A perfect 100, with virtually no family member left ungreased

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Smith Richardson Foundation
International Security and Foreign Policy Program
Junior Faculty Research Grant Program

Description

The Smith Richardson Foundation's International Security and Foreign Policy Program is pleased to announ its annual grant competition to support junior faculty research on American foreign policy, internatio relations, international security, military policy, and diplomatic and military history. The Foundation w award at least three research grants of $60,000 each to support tenure-track junior faculty engaged in t research and writing of a scholarly book on an issue or topic of interest to the policy community. The grants are intended to buy-out up to one year of teaching time and to underwrite research costs (includi research assistance and travel). Each grant will be paid directly to, and should be administered by, the acade institution at which the junior faculty member works. Projects in military and diplomatic history a especially encouraged. Group or collaborative projects will not be considered.

Procedure

An applicant must submit a research proposal, a maximum of ten pages, that includes the following fi sections: (1) a one-page executive summary; (2) a brief description of the issue or the problem that t proposed book will examine; (3) a description of the background and body of knowledge on the issue to addressed by the book; (4) a description of the personnel and methods (e.g., research questions, resear strategy, analytical approach, tentative organization of the book, etc.); and (5) a brief explanation of t implications of the prospective findings of the research for the policy community. The applicant should al include a *curriculum vitae*, a detailed budget explaining how the grant would be used, a work timetable with start date, and a copy of policy-relevant scholarship. A template for a junior faculty proposal is available the Foundation's website (www.srf.org).

Proposal Evaluation Criteria

Proposals will be evaluated based on the following criteria: (1) the relevance of potential analysis and findin to current and future foreign and security policy issues; (2) the potential of the project to innovate the fie and to contribute to academic or policy literature on the chosen topic; (3) the degree to which resear questions and analytical methods are well defined; (4) the degree to which the project will develop valuable nc data or information through field work, archival work, or other methods; and (5) the applicant's publicati record.

Eligibility

An applicant must have a Ph.D., preferably in Political Science, Public Policy, Policy Analysis, Internation Political Economy, or History. He or she also must hold a position as a full-time tenure-track faculty memb of a college or university in the United States. An applicant should explain how he or she meets all of the requirements in a cover letter to the proposal.

Deadline

The Foundation must receive all Junior Faculty Research Grant proposals by **June 28, 2004.** Applicants w be notified of the Foundation's decision by **October 31, 2004.** No electronic submissions please.

Please mail your proposal to:

Junior Faculty Research / International Program
Smith Richardson Foundation
60 Jesup Road
Westport, CT 06880

If you have any further questions, submit them via e-mail to plandesberg@srf.org. No phone inquiries please.

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Retreat from Globalization

Ian Campbell

> Nothing is more usual, among states which have made some advances in commerce, than to look on the progress of their neighbours with a suspicious eye, to consider all trading states as their rivals, and to suppose that it is impossible for any of them to flourish, but at their expence.
>
> —David Hume, *Of the Jealousy of Trade*

THESE are days of optimism about U.S. and world economic prospects. The U.S. economy is poised for strong recovery, most Wall Street economists say. The optimism seems as misplaced as it was in 1999 when the U.S. economy was generally described in miraculous terms yet was on the verge of downturn and two years short of outright recession.

In many regards, the U.S. economic picture now looks far worse than it did in 1999. In 1999 there was a stock bubble that Federal Reserve Chairman Alan Greenspan had, it appeared, inadvertently allowed to build. Four years on, resorting actively to unsustainable bubbles in asset prices has become the mainstay of U.S. policymaking. What Greenspan refers to as "solid gains" in housing prices are no more than a bubble in the prices of households' most important financial asset. Cheap money has also helped to re-inflate stock prices. Meanwhile, the Bush Administration's fiscal policy, which floods the American consumer with windfall cash, seems just as unsustainable. The counterpart of these policies is the precipitous fall of the dollar.

All the mistakes are part of a general loss of direction in economic policymaking, an abandonment of ideas of sound money and honest reward. The United States is now pursuing a new goal in policymaking: the permanent consumer boom, instant wealth created by windfall. Perhaps this is a true measure of America's decline: immediate gratification has become not just the vice of the couch potato but that of Washington, DC.

This makes a mockery of American attempts to advise other countries on economic policy. The "Washington Consensus" emphasized sound fiscal and monetary policy, privatization and faith in free markets. It is dead because Washington has abandoned these policies. This will harm not only the U.S. economy but the world one as well. The world no longer has a leader in economic policymaking. Nowhere is that lack of leadership more evident than in trade.

The failure of the ministerial summit meeting of the World Trade Organization (WTO) in Cancun, Mexico in September was prepared by the prior positions adopted by the main players: the United States, the European Union and developing

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countries. The positions of all were characterized by hypocrisy. Perhaps the greatest hypocrisy, however, was that of the United States, which preaches the merits of free trade more strongly than almost any other country and yet spends tens of billions of dollars to prevent its own markets from being free and has taken fresh measures in recent years to discriminate against other countries' producers.

The biggest blow to the Doha Round was struck in 2002 when a new farm bill was passed by the U.S. Congress. The new bill authorized, in the words of the U.S. trade representative, Robert Zoellick, "up to $123 billion in all types of food-stamp, conservation and farm spending over six years."

The U.S. position—and that of the EU—is immoral. Developing countries that depend utterly on agriculture are forced to compete with a U.S. agricultural sector that is hugely subsidized. Yet the United States constantly urges countries to open their own markets and allow freer access to U.S. goods and services. The blatant hypocrisy is doing nothing to win the United States friends and allies and is therefore a political problem as well as an economic one. And there are many other problems with it. The subsidies for the agricultural sector add to the U.S. budget deficit. The protection granted to U.S. producers means consumers pay higher prices. Poor countries that might earn more in exports and therefore be able to import more from the United States remain impoverished—to their detriment and to that of the United States and other countries.

Those who fail to appreciate what harm this is doing might have done well to attend a small meeting of west African cotton producers at the WTO Cancun summit, shortly before the meeting's collapse, in which these producers reacted to the draft text that had then been drawn up. It was hard to judge which was greater: their sense of betrayal or their anger.

One of the delegates pointed out that the cotton farmers he represented earn less than $1 per day; and that, internationally, the argument that these farmers were producing competitively and were the victims of subsidies and restriction of trade in the developed world had been well accepted. And yet, in the view of these delegates, there was nothing in the text to encourage them, no sign that the developed world was ready to give ground. The unhappiness culminated in this lament from a delegate from Senegal: "What is the point of us Africans coming to summits such as this when nothing is going to be done?"

This was an indictment of the hypocrisy of the developed countries, a condemnation of what David Hume called "narrow and malignant policies" which, were they to meet with success,

> should reduce all our neighbouring nations to the same state of sloth and ignorance that prevails in Morocco and the coast of Barbary. But what would be the consequence? They could send us no commodities: They could take none from us.

Two and a half centuries after Hume's essay, how is it possible that the lessons have not been learned; that the agricultural exports of countries such as Senegal and Mali and Togo, or Bangladesh or Brazil, and countless other poor countries, are blocked from world markets so that these countries fail to thrive and can therefore import little from the developed world?

What the United States and the European Union bring to trade meetings at present is not a willingness to do what is right but a determination not to give anything away. The tactic on which the big countries rely is brinkmanship. Gather the countries together, put forward a mean negotiating position, see which countries are most opposed, work individually on countries whose opposition might readily be worn down by a favor here or a favor

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there; make concessions, as small as possible; bully; use the weight of economic size and geopolitical clout; get a signature on a piece of paper that the developing country will eventually have cause to regret.

In Cancun this approach failed in part because developing countries have become more and more aware of the hypocrisy of the United States and the European Union. They realize that subsidized agriculture in developed countries is now the biggest obstacle to free trade. In addition, they have learned bitter lessons from experience. They have made agreements in the past and been deceived. For example, as part of the Uruguay Round of trade negotiations, completed in 1994, the United States committed itself to opening up its textile sector. But, according to Daniel Ikenson, an expert in trade at the Cato Institute, "80 percent of the products subject to quota in 1994 still are." Tricks, legal maneuvers, and the letter of manipulated laws have been used against developing countries, embittering America's relations with the developing world.

This is not to say that the United States is entirely to blame for the failure of world trade talks. The European Union and the developing countries are also hypocritical. Average tariffs in developing countries are very high; averaging about 30 percent in India, for example, compared with less than 5 percent in developed countries and Indian industry is heavily protected. Indian consumers pay the price. Predictably, Indian industry fails to become competitive enough to export. Moreover, the tariff barriers apply between developing countries as well and help to keep markets small and segmented, strangling the growth of larger, internationally competitive companies.

In Europe, meanwhile, we might see President Jacques Chirac of France as Bush's twin. In late 2002 Chirac persuaded Germany to agree to defer until 2013 any meaningful attempt to reduce the subsidies paid under the European Union's Common Agricultural Policy (CAP). In June 2003 a modest reform was undertaken to de-link subsidies from production (this might help to curb EU overproduction). But overall subsidy levels were not cut; nor were export subsidies reduced. The CAP has a direct annual cost to EU taxpayers of some $40 billion and an indirect cost via higher prices for food that is several times greater. It serves to redirect European taxpayers' money to the agricultural industry while depriving developing countries of a market. The CAP is an obscenity. The United States uses it as an excuse to preserve an obscenity of its own: "America will not cut agricultural support unilaterally. But America's farmers and Congress back our proposal that all nations should cut together", wrote Zoellick, in an article in *The Economist* in December 2002.

The U.S. position on major reform of trade might therefore be described as "after you, Europe." It doesn't say much for Bush's capacity to lead. Yet to picture things in this way would be charitable. Bush has not just failed to lead. He has actively damaged the prospects for world trade and growth.

The New Protectionism

> Where a great number of commodities are raised and perfected for the home-market, there will always be found some which can be exported with advantage. But if our neighbours have no art or cultivation, they cannot take them; because they will have nothing to give in exchange.
>
> —David Hume, *Of the Jealousy of Trade*

BUSH'S FAILURES would seem to be harbingers of a new and deeply troubling protectionism in the United States that evokes the mood of the 1930s. In part it comes from the top, from Bush's desire to win votes from steel workers and farmers. But it also comes from below: from workers

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who are nervous about their jobs and their financial security and from corporations who fear their ability to compete with emerging nations, especially China.

Companies always fear competition. Few company executives are advocates of free trade. They are in the competitive game and, like soccer players, always call on the referee to adjudicate in their favor, however dubious their claim. Workers, for their part, are always anxious to retain their jobs and cannot be expected to see the broader picture. This is why strong and honest leadership is needed. Leaders must see above the fray, the bitter complaints of interest groups and of those who lose out in the battle to compete, and keep their eyes fixed on the greater global good that can be achieved by freer trade.

It is sad that the Bush Administration has not proven principled and upright. Yet its Democratic opponents show every sign of embracing still more wholeheartedly the popular mood of protectionism. Protectionist sentiment has struck a chord among voters and is likely to play a role in the Democrats' election strategy. Even as candidates drop out of the race, their ideas continue to have an impact on the formulation of an electoral agenda.

For example, tapping into popular resentment at inexpensive imports, particularly textiles from China, Democrat candidates for president have castigated the Bush Administration for doing too little, too late to stem the flow. Yet the protectionist approach, while tailored to please American textile workers, is full of hypocrisy. Textiles are relatively simple to design and to manufacture, and thus developing countries can produce them competitively. And, as we have seen, the United States has remained protectionist in the textile sector despite committing more than a decade ago to open its market. It is, in short, neither China nor developing countries that have reneged on agreements and played a dirty game, but the world's biggest economy.

The presumptive nominee, Massachusetts Senator John Kerry, notes that if elected, he would order

> an immediate 120 day review of all existing trade agreements to ensure that our trade partners are living up to their labor and environment obligations and that trade agreements are enforceable and are balanced for America's workers.

Kerry says he "will consider necessary steps if they are not."

Kerry takes the position that "Some nations have consistently violated agreements by the World Trade Organization." Governor Howard Dean espouses a similar line. The United States, it seems, is being deceived by other countries:

> Stemming job losses means vigorously enforcing the terms of existing trade agreements. The Bush Administration . . . has only brought eight trade cases before the WTO, while the Clinton Administration filed twenty-seven WTO actions in its last three years in office. Moreover, the Administration has lost fourteen of the sixteen WTO cases it has defended. This track record means lost American jobs and lost business opportunities. . . . [W]e need an Administration that will stand up for American trade laws.

These recommendations would temporarily save some jobs in uncompetitive firms—at a cost to U.S. consumers and to the detriment of workers overseas—but otherwise assure the prosperity only of some Washington legal firms.

Job losses also come under fire. "The Bush Administration has done nothing to end incentives that encourage manufacturers to move their jobs overseas", Kerry proclaims. He promises that "we should not only get rid of these incentives, but that we should give new tax breaks to companies that stay in the U.S. and create new jobs." In addition, firms that move jobs overseas "should not get government

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contracts or any other perks or incentives from the government." Senator John Edwards asserts still more strongly that jobs are being stolen from Americans by foreigners while Bush sleeps:

> Under George Bush, America has lost more than 3 million private sector jobs, and 1 million jobs have been lost overseas. Not only are we losing jobs; we are losing high-paying jobs. Outsourcing has affected everyone from call center workers to computer programmers.

What is interesting about this position is that it goes beyond what might be called traditional protectionism: the "give me a tariff barrier, or a quota or a legal restriction" that might be called sufficient for all normal purposes. This attack is essentially on businesses themselves, on their decision to think globally and employ overseas workers rather than American ones.

Companies, like soccer players, always ask the referee to adjudicate in their favor, however dubious their claim.

Should politicians be standing in the way of that sort of decision? Are company executives not free to decide how best to deploy resources around the world in order to compete and be successful? Does America not believe in globalization?

The next level of protectionism involves tying the hands of foreign competitors with red tape. It finds its most extreme expression in the suggestion by a Democrat who, perhaps fortunately, dropped out of the running for the presidential candidacy—Richard Gephardt. His idea is an international minimum wage. To find the right level for a minimum wage in any one country is, of course, challenging; and there is a question mark about whether a minimum wage is a useful guideline at all. But to apply one internationally would be technically and bureaucratically impossible and useful only for one thing: finding grounds on which to block exports to the United States. The proposal, put forward as being principled and oriented to improving workers' remuneration around the world, is at root utterly cynical, an attempt to save jobs here while denying them to workers overseas.

Finally, Kerry tackles the question of exchange rates:

> China, Japan and other nations have purposely kept their currency undervalued relative to the U.S. dollar to promote exports in the United States and undermine U.S. products abroad.

This accusation of deliberately maintaining a weak currency in order to gain a competitive advantage has been frequently made against China in the past year. But in fact the case is difficult to make. The dollar has, of course, plummeted against the euro in the past year and has weakened against the Japanese yen. Asian countries certainly do not want their currencies to appreciate against the dollar and China maintains a fixed rate. But one of the means Japan and other Asian countries have employed to prevent currency appreciation against the dollar has been to buy U.S. government debt.

According to recent U.S. Treasury data, between January and November 2003, foreign holdings of U.S. Treasuries rose by $264 billion. Japan, the major foreign holder of U.S. government debt, increased its holdings by $135 billion (to a total holding in November 2003 of $525.5 billion.) The second largest holder is China, which increased its holdings of Treasury debt by $23.1 billion to $143.8 billion. (By way of comparison, the United Kingdom is the third largest foreign holder, at $111.7 billion.)

Buying U.S. debt in this way helps to recycle bilateral trade surpluses with the United States and helps to prevent

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further appreciation of the yen against the dollar. But can Japan be blamed by U.S. politicians for buying U.S. government debt and, in effect, financing about half of Bush's huge budget deficit in the past year?

Where China is concerned, what must be taken into account is that Chinese export companies aim to undercut their competitors and do have some flexibility on price. Appreciation of the renminbi might do little to harm their price competitiveness. Moreover, Federal Reserve Chairman Alan Greenspan and others have rightly remarked that if the Chinese currency is being kept undervalued through an accumulation of reserves, then such undervaluation is creating too rapid credit growth. Then the greatest harm done by currency policy will be not to China's competitors but to the Chinese economy.

Above all, what is lacking in the current U.S. view of international trade is a sense of the gains from trade that David Hume laid out so brilliantly 250 years ago. The Chinese economy is one of the few in the world to show strong growth. China exports, but it also has a dynamism of its own, born of the free market reforms initiated by Deng Xiaoping in 1978. A once-communist economy is finding fresh life as free enterprise flows through its veins. This is something in which the United States should rejoice, not lament. For it is certainly true that the America's macroeconomic weaknesses have been exacerbated by the lack of growth in Europe and Japan in recent years. If the European and Japanese economies were more dynamic, U.S. exports would be higher and so would U.S. growth, and the U.S. trade and current account deficits would be lower, thereby reducing the need for foreign capital inflows.

The U.S. economy cannot grow fast alone. The prosperity of other countries brings prosperity to the United States. That, no doubt, is one reason why Washington has for so long recommended that foreign countries open their markets.

Bubble Economy and Unwise Policy

ALL THE above may lead to some questions. Why is the United States losing jobs if unfair trade is not the reason? What has gone wrong? What does the United States need to do to regain a truly thriving economy?

My argument, stated briefly, is as follows. The United States has enjoyed, since the mid-1990s, a period of generally high growth. In the late 1990s the U.S. economy (and, in consequence, the world's) was distorted by inflation in stock prices and the wealth effect that generated. The American "economic miracle" was a stock bubble that fostered high spending, high growth, high inflows of foreign investment (drawn to the miracle economy) and a consumer boom.

After the false boom promoted by stock price inflation, the natural tendency of the economy has been to feel deflationary forces. That tendency, though painful, was salutary. Very low rates of saving, with the counterpart of a very high trade deficit, had to be corrected. But both Bush and Greenspan have fought to prevent this rebalancing—and have succeeded temporarily. Now a huge budget deficit joins the trade deficit while house-price inflation emulates the stock market bubble of the late 1990s.

As the Democrat presidential candidates reiterate, unemployment has risen by close to three million in the United States under President Bush. But this rise cannot be blamed on Bush. On the contrary, if he and Greenspan had not stimulated consumption by pursuing such expansionary policies, the rise would have been much greater. The U.S. trade deficit continues to be evidence not of an economy that is growing too slowly, but one

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that requires a correction greater than can be provided by the falling dollar.

The United States has been living beyond its means, saving little, consuming generously. The brief and shallow recession of 2001 was insufficient to provide a correction. The cyclical correction will come. This is the macroeconomic side to the U.S. economy's difficulties.

But there are also microeconomic aspects in the difficulties of the U.S. economy. In the boom years greed prospered. A part of the American tradition of hard, honest work may have given way to another American tradition: carpetbagging.

In the boom years, too, other excesses may have prospered. Government spending at federal, state and municipal levels has not been curbed. And many costs that fall upon government, companies and individuals have not been restrained. Witness, for example, the inexorable and rapid rise in costs for health care and health insurance. All these factors are affecting America's competitiveness.

Perhaps former candidate Edwards is more on track, seeing what is wrong with the American economy when he says this about education:

> American high school students are almost last in the world in math and science. In addition, each year, Chinese universities graduate five times more engineers than do American universities.

Health costs, corruption in business, poor (and often expensive) education: these are the problems on which American government should be focusing if the United States wishes to thrive. But instead, the Bush Administration has resorted to a protectionism that Democrat presidential candidates threaten to deepen, putting forward manufacturing tax credits, or tax rebates for state governments as means to achieve prosperity. Where is the faith in honest endeavor for honest reward?

Lean government, free trade, excellent education: it is telling that U.S. politicians are working against the first two while doing little to promote the third. At a time when the macroeconomy has been harmed by a stock market bubble, the United States needs to be clear about policies that yield economic success. Instead it seems drawn to wild fiscal and monetary policies and to protectionism. America has lost its way. □

A Comforting Qualification

The present moment is one of great distress. But how small will that distress appear when we think over the history of the last forty years; a war, compared with which all other wars sink into insignificance; taxation, such as the most heavily taxed people of former times could not have conceived; a debt larger than all the public debts that ever existed in the world added together; the food of the people studiously rendered dear; the currency imprudently debased, and imprudently restored. Yet is the country poorer than in 1790? We firmly believe that, in spite of all the misgovernment of her rulers, she has been almost constantly becoming richer and richer. Now and then there has been a stoppage; now and then a short retrogression; but as to the general tendency there can be no doubt. A single breaker may recede; but the tide is evidently coming in.

—Thomas Babington Macaulay,
Review of "Southey's Colloquies on Society", 1830.

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The Cost of Living

The Economics of Preventing Nuclear Terrorism

Matthew C. Weinzierl

NUCLEAR terrorism presents an unparalleled threat to the United States. The economic impact alone of a nuclear terrorist attack would undoubtedly be staggering. Estimates of the direct economic cost of one potential scenario—a crude nuclear device detonated in lower Manhattan—range well over $1 trillion. Even this estimate cannot capture the full tragedy of such a scenario, which could include half a million deaths, a zone of total destruction one mile wide, and radiation extending for miles around the blast's center. For the protectors of America's national interest, no single issue is more urgent and frightening.

Such a scenario is a real possibility. As Graham Allison and Andrei Kokoshin wrote in these pages, "we must first be prepared to imagine the unimaginable—there is a substantial probability that within the next decade, an act of nuclear terrorism will occur."[1] These authors, and most who study the issue, reach this dire conclusion because a terrorist group needs to acquire only several *kilograms* of nuclear material to construct a functioning bomb out of the more than *2,000 metric tons* of nuclear material that exist around the world.

Thankfully, nuclear terrorism is a finite problem. Simply put, nuclear terrorism is impossible without nuclear material, and the amount of nuclear material is finite. The quantities that exist can be counted and, in principle, comprehensively secured. Additionally, the production of new nuclear material is beyond the technological reach of terrorist organizations, barring state sponsorship.

If sufficient financial and diplomatic resources are invested, the threat of nuclear terrorism can be substantially reduced or even eliminated. It is useful to think of preventing nuclear terrorism as an economic problem to be solved. Success, therefore, can be thought of as a "return" on the up-front investment. The question facing policymakers thus becomes: From the perspective of a country or group of countries investing in its future, is a comprehensive effort to prevent nuclear terrorism worth the cost?

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[1] "The New Containment: An Alliance Against Nuclear Terrorism", *The National Interest* (Fall 2002).

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For at least the first stage of such a comprehensive effort, the United States and its allies seem to have answered "Yes." The vast majority of nuclear material beyond America's borders is in the former Soviet Union, including 95 percent of the warheads, over 90 percent of the highly-enriched uranium and nearly half of the weapons-grade plutonium. Primarily to help Russia secure this material and address other threats, the United States has pledged to spend $10 billion over the next decade as part of a $20 billion overall threat reduction commitment by the G-8 launched at the Kananaskis summit in 2002 and recently reaffirmed at last summer's Evian summit.

It is true that assigning specific responsibility for the remaining $10 billion among G-8 member-states has not been simple: as of June 2003, only $7.4 billion had been pledged by the seven other nations, much of which is not dedicated to nuclear material specifically.[2] Neither has the overall implementation of the U.S. pledge been without obstacles. For instance, disagreement remains over liability for accidents. Nonetheless, the U.S. budgets for 2003 and 2004 both allocated approximately $1 billion to threat reduction efforts, as promised.

Projections of the likely investment required to complete the Russian program have varied substantially, generating concern over whether the G-8's pledges will be sufficient to finish the job—even if they are fully met. Research by Allison and others, including a study by Matthew Bunn, Anthony Wier and John Holdren, has estimated that the likely cost of fully securing the former Soviet Union's material ranges from as little as $5 billion to as much as $30 billion. This wide range reflects uncertainty over the cost of specific initiatives within the overall effort. According to these studies, securing excess plutonium could cost between $2 billion and $9 billion, and securing highly enriched uranium between $1 billion and $11 billion. Improving security at Russian facilities could cost between $1.8 billion and $5 billion, and helping Russia downsize its program could require $0.5 billion to $3 billion. Various extra costs are thought to range as high as $2 billion.[3]

This article, however, offers a new estimate of the total investment required to secure nuclear material in the former Soviet Union. This estimate provides some reassurance that currently-pledged funds are likely to be sufficient if progress continues at the pace achieved so far. The calculation begins with the estimates from the Bunn-Wier-Holdren study of progress made through early 2003 by the joint U.S.-Russia effort along 14 specific initiatives.[4] Then, it aggregates line-item

[2]These pledges include: $2 billion from Russia, $1.7 from Germany, $1.2 from Italy, $890 million from France, $750 million from the UK, $650 million from Canada and $200 million from Japan.

[3]See Matthew Bunn, Anthony Wier, and John Holdren, *Controlling Nuclear Weapons and Materials: A Report Card and Action Plan* (Washington, DC: Nuclear Threat Initiative and the Project on Managing the Atom, Harvard University, March 2003). Allison's estimate can be found in Appendix A of H. Baker and L. Cutler, co-chairs, *A Report Card on the Department of Energy's Nonproliferation Programs with Russia* (Washington, DC: U.S. Dept of Energy, Secretary of Energy Advisory Board, January 10, 2001). The Bunn-Wier-Holdren study's estimated costs are lower than Allison's because the latter envisions a ten-year program (twice the length of the one the trio outlined). Allision's program is more comprehensive, and he is more optimistic as to the effectiveness of individual initiatives.

[4]The fourteen initiatives are: 1) upgrade former Soviet material; 2) upgrade Russian warheads; 3) remove material from vulnerable non-Russian sites; 4) fund part-time, short-term grants for senior scientists; 5) provide sustainable civilian jobs for other workers; 6) encourage reductions in Russia's nuclear weapons

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U.S. budget data over the 1992–2002 fiscal years from the Nuclear Threat Initiative's budget database along these 14 initiatives. Assuming that progress can continue to be made as it has been over the last decade, these data allow us to project the investment that will be required to complete the task.

This procedure estimates that a total of about $21 billion could be required to complete the program to secure the nuclear material in the former Soviet Union. Therefore, the $4.1 billion spent by the U.S. government from 1992–2002 may have to be supplemented with an additional $17.2 billion to finish the job. This calculation is, by necessity, imprecise and subject to great uncertainty. It could overestimate the total investment that will be required if much of the spending thus far has been preparatory—simply laying the foundation for future work—or if economies of scale are reached as these efforts expand. On the other hand, this calculation could underestimate the total investment required if the least difficult tasks were undertaken first, leaving the most costly and trenchant problems for the future. Nevertheless, the $21 billion estimate lies just above the midpoint of previous estimates and near the $20 billion pledged by the G-8, providing some degree of confidence that at least the financial resources are in place to tackle the former Soviet Union's stock of nuclear material.

SECURING the material in the former Soviet Union is a first step on the road to safety, but as many as forty countries have nuclear weapons or materials that could potentially be sold to, or stolen by, terrorists. As such, these must also be secured if the United States is committed to the prevention of attacks. Too much of the world's nuclear material remains within countries with weak security precautions, unclear attitudes toward terrorist groups or potentially unstable governments. North Korea is only the most visible case. A comprehensive solution to nuclear terrorism will thus demand the cooperation of many other countries and may require substantially more investment than the effort's first, vital step to engage the countries of the former Soviet Union.

The next step must be to consider whether investment of the required magnitude can be justified. Estimating the cost of securing nuclear material in these other states is fraught with uncertainty. Most optimistically, this process could mimic the largely cooperative agreement the United States maintains with the countries of the former Soviet Union. If that scenario bears out, the investment required for each country, per unit of material, may be comparable to that required in previous work with the former Soviet Union: approximately $190,000 per warhead, $5.85 million per metric ton of highly enriched uranium and $42.3 million per metric ton of plutonium. Under this assumption, the additional funding required to secure the rest of the world's stockpiles would be relatively small—around $600 million—since most other stocks are minute. Unfortunately, that optimistic scenario is unlikely, given the presence of nuclear material in states such as Pakistan and India, not to mention China and, most pressingly, North Korea.

Strategically, these states understand that they hold a bargaining chip uniquely valuable to the United States, the chief target of the world's most strategi-

complex; 7) officially declare warheads; 8) monitor warheads with U.S./International agency; 9) officially declare materials; 10) monitor materials with U.S./International agency; 11) reduce warhead stockpile; 12) reduce highly-enriched uranium stockpile; 13) reduce plutonium stockpile; 14) implement detection at former Soviet borders and ports shipping to United States.

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cally significant terrorist groups. Moreover, genuine concerns about highly sensitive security issues or secrecy may discourage many nations—North Korea, Israel and Iran, for example—from complying with an international monitoring regime. It is likely that these nations will ask for, if not demand, substantial economic incentives in exchange for cooperation. If Washington refuses to offer such carrots, or if they are rejected as insufficient, the United States may resort to the stick of economic sanctions. If this fails, as it very well may, the United States would have few options remaining but to force compliance with military action—a costly solution indeed. If military action were required to secure nuclear material in recalcitrant countries, this program would entail a major financial investment on behalf of the United States.

If the demand side cannot be known, at least the supply side can be understood: How much should the United States be willing to invest in an effort to secure global stocks of nuclear material? Though this question is mathematically simple—much like asking how much one would pay for a share of stock in a corporation—pinning down an answer is an exercise in judgment calls. For instance, we must know how costly a nuclear attack is likely to be, which includes knowing what the economy's response would be to the decimation of lower Manhattan or the center of Washington, DC.

We also need answers to questions on the fringe of economic analysis, such as what a life is "worth." More difficult still, we must know the probability of a nuclear terrorist attack if we make no efforts to increase security further and the (hopefully lower) probability if we invest, say, $40 billion in additional threat reduction measures. These questions are ones that have caused insurers, usually the most hard-headed probabilists, such consternation that many have simply excluded acts of terrorism from coverage after September 11, 2001.[5]

Realistic Questions and Answers

FOR AT LEAST two reasons, policymakers cannot simply set aside such questions. First, they must establish an upper limit on investment, since any dollars allocated to securing nuclear material are taken from other budgetary priorities. As with social programs, national investment in securing nuclear material must meet a certain required "rate of return." Second, at the other extreme, if policymakers do not know how much they are willing to invest, they are likely to misunderstand the situation, perhaps balking at an investment of another $10 billion, despite a compelling case for its value. For example, of the resources earmarked for nuclear material security, the U.S. Congress has so far appropriated only limited portions to promote cooperation with states other than Russia, and even that has not been without difficulties. The House and Senate versions of the Defense Authorization bill allocated less than $100 million, respectively, to efforts outside the former Soviet Union but disagreed on

[5]A few sophisticated international providers, such as AIG, Lloyd's and Berkshire Hathaway, offered stand-alone terrorism insurance to provide limited supplemental coverage. But, in a sign that terrorism presents general, non-diversifiable risk, the U.S. government stepped in with the Terrorism Risk Insurance Act of November 2002, providing public support for private insurance coverage. The Act makes clear the reason for government intervention: "the absence of information from which financial institutions can make statistically valid estimates of the probability and cost of future terrorist events, and therefore the size, funding, and allocation of the risk of loss caused by such acts of terrorism."

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whether the funding should be controlled by the Department of Defense or State.[6]

Realistic answers to the questions facing policymakers require the United States to have some idea as to the maximum amount that it should be prepared to invest. The basic idea is to calculate how much a program that would reduce the probability of a nuclear terrorist attack by a certain percentage could cost and still meet a required rate of return. For example, if a program reduces the annual probability of an attack from 0.5 percent to 0.25 percent, if the required rate of return on the investment is 5 percent, and if an attack is estimated to cost $1 trillion, calculations show that a program costing about $80 billion is worth the investment. As for the sensitivity of this calculation, if the cost of an attack rises to $2 trillion, such a program is worth about $170 billion. A similar upper bound exists—about $180 billion—if the cost of an attack is left at $1 trillion, but suppose the program reduces the probability of attack to 0 percent. On the other hand, if the program reduces the probability of attack to 0.4 percent, the investment should only be about $30 billion. These are risk-neutral calculations.

In general, reasonable values for the key inputs—though these are wide open to debate—imply that an effort requiring several times the investment required by the program for the former Soviet Union could still comfortably "pay for itself." Perhaps the most important input for the upper-limit calculation is, not surprisingly, the probability of an attack if no program is put in place. The assumption that the annual probability of an attack is 0.5 percent is roughly equivalent to assuming that there is a one-in-five chance of an attack occurring in the next 50 years. If that probability rises to 1.0 percent, so that there is a two-in-five chance of an attack in the next 50 years, and a program continues to cut that probability in half, the program is now worth over $130 billion.

For comparison, $100 billion spread over ten years is approximately 2–3 percent of the U.S. defense budget. The recent discussion of these issues in Congress, coupled with the Bush Administration's stated commitment to address this threat, are welcome first steps. Nevertheless, a broader debate is needed, one that faces up to the potentially large costs, and potentially much larger returns, of a comprehensive program. Such a debate should include an estimate of the returns to potential investments in securing nuclear material, difficult as that may be. This is the only way to yield the information required by policymakers who want to decide upon a sufficient course of action.

The world currently has a unique opportunity with regard to the threat of nuclear terrorism, a finite problem that can be solved. The real question is whether the will exists to confront and meet the cost of the solution. □

[6]Note that this scale of investment (the House bill allocated $78 million), if maintained for ten years, would be roughly in line with the $600 million "best-case" estimate of the total cost of securing material around the world.

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Don't Cut the Cheese

Julia Watson

ONE OF THE world's great sensual experiences, exulted in daily across Europe, is illegal in the United States. That bite you may be about to take into an unctuous and intense young French raw milk cheese oozing off the edges of a chewy chunk of bread is against the law.

No raw milk cheese aged for less than sixty days may be imported into this country, nor sold in this country by local cheesemakers. So say the regulations of the Food and Drug Administration (FDA), in force for the past half-century. Yet since the late 1980s and early 1990s, when Americans began showing an interest in proper cheese, there hasn't been much difficulty in buying younger raw milk cheese treasures from France, England and Italy in American specialty food stores. Cheeses were sent without fanfare by FedEx direct to cheesemongers. But now the U.S. Bioterrorism Act (enacted in December 2003), which requires advance identifying paperwork for the import of all consumer goods, is likely to make it impossible any longer to slip these heavenly gems through the cracks.

And it doesn't stop there: age is no longer the only issue. The FDA is also considering mandating pasteurization of all cheeses, regardless of origin or age. This would be damaging enough to foreign exporters for a market as large as America. But now the regulations may go global. As a result of a proposal by the United States, the World Health Organization (WHO) is agitating to ban the sale by member-countries of *any* raw milk cheeses for trade to *any* country. If fully realized, the cumulative effect of these developments would be a death sentence on the international cheese industry.

THE BATTLE for imported cheeses and American-made artisan cheeses alike has become "pasteurized" versus "raw." The National Cheese Institute, the ninety-member American dairy industry association which together accounts for approximately 80 percent of the natural cheese, processed cheese and cheese products manufactured in the United States, is recommending mandatory pasteurization for all cheese milk. Artisan cheesemakers, usually small mom-and-pop entrepreneurs, are under the impression that the option to use raw milk is a campaign already fought and won in their favor. Not so fast. According to John Sheehan—director for the Division of Dairy and Egg Safety within the Office of Plant and Dairy Foods, part of the FDA's Center for Food Safety and Applied Nutrition—the FDA is "currently investigating all raw milk cheeses. Evaluation is under way right

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now; it's a priority this year. It's going to be comprehensive."

It could mean good-bye to those remarkable and, in many cases, internationally award-winning raw milk American artisan cheeses, for which the FDA previously felt that the sixty-day age minimum was adequate to protect the American consumer. Now they might also have to be pasteurized. Goodbye, too, to imported raw milk classics like Roquefort and Emmentaler, cook's staples Parmigiano-Reggiano and Gruyere, and essential standby Cheddar.

If you call the Fromegerie P. Jacquin in La Vernelle in France to speak to cheesemaker Pascal Jacquin, it's not "*La Vie en Rose*" that plays in your ear while you wait, but Pink Floyd's rebellious 1979 song "Another Brick in the Wall Part 2": "We don't need no education, we don't need no thought control." Just after Christmas, a consignment of his underage award-winning goat cheeses was turned back to France. And say goodbye to Vacherin Mont d'Or, considered by many the most majestic of all cheeses. Under the new law, it will not be found in the United States again. Nor will the youthful Reblochon, Camembert de Normandie, Monsieur Jacquin's Selles sur Cher, Ste. Maure de Touraine, and young Valençay, and dozens of others from Europe. Rather than compromise the quality of his fresh young goat cheeses for markets elsewhere, Monsieur Jacquin is withdrawing them from American sale and instead creating for special U.S. export a pasteurized cheese he is calling "Rond Tradition." The real issue, however, is that it could become the only cheese he is allowed to export, if the WHO has its way.

Passionate cheese lovers and cheesemakers alike argue that pasteurization, by eliminating 90 percent of micro flora in the milk, destroys flavor and produces less complex, more uniform cheeses. Laura Werlin, author of the cheese bible, *The New American Cheese*[1], is clear that there is a distinction between pasteurized milk and raw milk cheeses. As she told me, "There are many wonderful complex pasteurized milk cheeses. But when you get into raw milk, you get into nuances of taste and flavor that can't possibly be there once the milk is pasteurized. Pasteurization eliminates beneficial bacteria as well as unwanted bacteria. Bacteria lend flavor and complexity."

And pasteurization doesn't guarantee to render a cheese safe. It could, in fact, make cheese more dangerous in some cases, since the natural flora in raw milk cheese can overcome pathogens.

UNTIL World War II, cheesemaking in the United States, as overseas, was a local affair. Family dairies made cheeses from the raw milk of the cows they or their neighbors grazed. The milk, usually from a single source, was always traceable. When the war came, many cheesemakers were sent overseas to fight, and those who replaced them were not only less experienced but were expected to meet a huge government requirement for cheese to fuel the war effort. Quality and safety were sacrificed for the sake of mass manufacture, and a law was passed demanding pasteurization in cheesemaking unless the cheese was aged for sixty days under specified conditions. By 1949, all milk and dairy products were pasteurized. But, as Caroline Smith DeWaal, director of food safety for the Center for Science in the Public Interest, points out, the law "hasn't been enforced." Until now.

Europeans who have been guzzling unpasteurized dairy jewels for hundreds of years are baffled. Death by raw milk cheese? "It's possible", Smith DeWaal says. But the trouble is, none of the government institutions involved in the decision-making seem to agree against what in the raw milk we should be protected.

[1]New York: Stewart, Tabori & Chang, 2000.

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They are each focused on a different organism. Carol Tucker Foreman, director of the Food Policy Institute of the Consumer Federation of America, formerly a top regulator at the U.S. Department of Agriculture (USDA), says that the Centers for Disease Control "does not track illnesses by food—only by pathogen. Unpasteurized cheese is frequently the source of the most deadly pathogen *Listeria monocytogenes*." For John Sheehan's division of the FDA's Center for Food Safety and Applied Nutrition, the menace is *E. coli*, while the National Research Council's report, "Scientific Criteria to Ensure Safe Food" cites *Salmonella*. Each bacterium was the focus of its own discussion paper at the Food Safety and Inspection Service's 36th session in early January of the Codex Alimentarius Commission.

Consumers at risk over *Listeria* in any foodstuff, says Smith DeWaal, are the elderly and the pregnant (who become vulnerable to miscarriage if it enters their system). But how many miscarriages have been recorded through raw milk cheese consumption? None, in point of fact. "It's very hard to track", Smith DeWaal admits. "Miscarriages usually happen in private." That raw milk cheese "can kill is an assumption based on the fact that cheese carries *Listeria mystogenes*."

CHEESES HAVE been under the microscope, quite literally, since, John Sheehan says, "[r]ecent research from South Dakota University in 1996 indicated the sixty-day aging period did not do much at all for *E. coli*. We have since confirmed it doesn't do much at all with Cheddar cheese with reference to *E. coli*."

When the 1996 South Dakota University's study was published, artisanal cheesemakers who had had no reports of food-borne illnesses relating to their own cheeses went to Dr. Catherine Donnelly, a respected food microbiologist and professor of nutrition and food science at the University of Vermont, to study the study. When she examined the scientific literature, few of the disease outbreaks involved unpasteurized, hard cheeses. And in each of the outbreaks involving hard cheeses, the contamination appeared to have happened after aging, so pasteurization wouldn't have prevented them. In FDA tests, she says, pasteurized milk was "super-loaded with *E. coli* to levels [that] you'd never experience in the common milk supply."

Things got worse in 2003, when the National Research Council (NRC) published the report "Scientific Criteria to Ensure Safe Food" which included cheese. "If you haven't heard about this report yet", read a review in the industry journal *Food Processing*,

> there's a good chance you will in the future. . . . Among other reasons, the report is of interest because it is likely to prompt new legislative authority for the U.S. Department of Agriculture (USDA) and U.S. Food and Drug Administration (FDA) to regulate food safety.

For their own protection, artisan cheese producers work to the FDA's HACCP (Hazard Analysis and Critical Control Point) standards, though some perhaps less efficiently than others. Developed by Pillsbury, HACCP standards are science-based controls applied from the raw material phase to the finished product in order to prevent hazards that could cause food-borne illnesses in astronauts in space. Cheesemakers have found that application of HACCP rules has increased the quality and shelf-life of their artisan cheeses, as well as reduced their liability insurance. It is not in a small dairy farmer's interests to operate at less than the highest modern hygiene and production standards. "Good dairy management and excellent sanitation permit the safe manufacture of raw milk cheese in a variety of styles", states Debra

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Dickerson, the U.S. representative of Britain's Neal's Yard Dairy.

What the NRC's report describes as only a "recommendation" for a sixty-day holding period for cheese was based on expert testimony provided during hearings way back in the 1950s. The report concedes, "[t]he scientific underpinnings of this recommendation are obscure, but appear to be derived at least partially from a study that investigated survival of *B. abortus* in Cheddar cheese." It then confesses that

> Unfortunately, many of the cheeses that were intended for examination in this part of the study were not tested for the presence of *B. abortus* as samples were lost. Further, initial cheese storage period lengths were not standardized but rather ranged from 41 to 84 days, making it very difficult to compare results among the cheese.

Despite their own laboratory results, the report says, the expert researchers

> believed that the epidemiological evidence suggesting a lack of association between cheese consumption and disease provided strong support for an aging period of approximately two months for commercial cheeses. The final stated conclusion was that "an aging period of sixty days is reasonable assurance against the presence of viable *B. abortus* organisms in Cheddar cheese.

The NRC report cites three outbreaks of cheese-related illnesses, involving *Salmonellosis* in mass manufacturing plants. The first was in 1976, traced to Cheddar manufactured in Kansas. The raw milk had been held without refrigeration in the processing plant for one to three days prior to pasteurization and cheese manufacture. "This outbreak resulted from numerous lapses in good manufacturing practices", it admitted, "and cannot be attributed solely to inadequacy of a sixty-day holding period for pathogen reduction." The second involved a series of outbreaks in Ontario between 1980 to 1982, when *Salmonella muenster* was isolated from raw milk Cheddar even after 125 days of curing at 41 degrees Fahrenheit. However, in 1985 a molecular profile was done of the cheese in that outbreak. It was found that workers sick with *Salmonella* had been handling cheese with their bare hands. In the third case, also in Canada and affecting over 2,700 people in 1984, *Salmonella typhimurium* was isolated at very low levels from Cheddar cheese that had been prepared from a mix of raw and pasteurized milk. It was found that two cows from two different milk herds had shed *Salmonella* and that one of the employees had manually overridden the pasteurizer, allowing the raw milk to be mixed in with the pasteurized. Each of these discoveries shows, says Dr. Donnelly, that pasteurization won't guarantee safety when workers can't be relied upon to maintain good production practices.

As to *E. coli*, "[t]here was a real problem [in the South Dakota study] with test design." If it were really such a threat in cheeses, she says, "We'd see people getting really sick." She believes mandating pasteurization in hard cheeses to be potentially more unsafe than insisting cheesemakers follow HACCP procedures. "Published studies show problems occur chiefly post-pasteurization." There is greater hazard, she will agree, in making young cheeses. Severe outbreaks of illness were associated with Mexican cheeses sold in California. But these were fresh soft cheeses made at home by amateurs for sale through street vendors without any proper attention to production hygiene.

"The issue is not pasteurized cheese versus raw", asserts Debra Dickerson. "It's about the standards under which cheese is produced. You can have pasteurized cheese that is lethal." According to the American Cheese Society—which, following publica-

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tion of the South Dakota University report, formed the Cheese of Choice Coalition for the right of individuals to eat unpasteurized milk cheeses if they wished—between 1948 and 1988, over 100 billion pounds of cheese were produced in the United States. In that forty-year period of primarily mass-manufactured cheese, six food-borne illness outbreaks were reported. The highest cause was not raw milk but post-pasteurization or post-production contamination. In the UK, cheese of all types including unpasteurized accounts for just 0.1 percent of UK food poisoning outbreaks. The FDA goal, says Laura Werlin, is "an antiseptic food supply. But the ramification [of eating] food so sterilized is that when we catch anything, we won't have immunity."

MAX MCCALMAN is the *maître fromageur* of New York's Picholine restaurant, where cheese is taken as seriously as the other exceptional courses, and of Artisanal, a cheese bistro. Anxious to pass on his passion and knowledge, he has also established the Artisan Cheese Center for cheese maturing and education in Manhattan. But he is woeful about the current regulations. "Over the past ten years in all our dealings with cheese we have encountered hassles and frustration in securing rare gems from Europe. Sometimes it's been very bad, sometimes it's eased somewhat. [But] it doesn't look very good right now." Though the ban covers only a fraction of all the cheeses he offers, he cannot feature "those fresh, delicate lovelies. And it's our loss."

It could also become Europe's loss. With the ravenous "global market" jaw opening ever wider, what is legislated for cheese in the U.S. looks set to affect artisan cheese production worldwide if the WHO has its way.

There are a number of issues at play, McCalman thinks. "A little bit of isolationism in our world right now is part of what drives this. And there's hysteria." But, McCalman says, "cheese is probably the safest food out there. It has the most nutrition and is the least hazardous in any way. It's very free of any GMO [genetically modified organisms] opportunities. What is required to make real cheese is by and large organic." He goes on to list the vitamins, minerals, anti-oxidants and good things galore that "these beauties" contain. Then he wonders why the same government research isn't going into the health properties of fast foods, canned foods, reconstituted foods or snack foods.

It is not unthinkable to imagine mass-production cheese manufacturers behind the FDA's focus on artisan cheeses. The U.S. Cheese Industry Association, which is against raw milk cheese labeling on the grounds that it undermines consumer confidence in dairy products, drafted a letter dated April 15, 2000, to its members and board members. Its aim was to rally them to support the inclusion of language in the Codex Committee on Food Hygiene's Code of Hygiene Practice for Milk and Milk Products that would require pasteurization for cheese, something which the Codex did not cover hitherto.

> If adopted as currently drafted, the Milk Code could result in international pressure on the U.S. government to remove or relax health and safety standards. Such action would put American consumers at risk and negatively impact our business. . . . If the standard adopted by Codex leaves out this language, the European Union will very likely initiate World Trade Association (WTO) dispute settlement proceedings against the United States. The Europeans will argue that U.S. standards are higher than those set internationally and must be justified. A WTO case would likely cost the U.S. cheese industry between $500,000 and up to several million [dollars].

And it wouldn't be the first time that a U.S. government agency has introduced regulations which tend to favor

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big producers over smaller ones. As Rod Dreher documented in *National Review*, small producers not only have to compete in the market place; they must also swim upstream against government regulations. "State and federal regulations governing the nation's meat and dairy supply are supposed to guarantee safe, quality food products", he wrote. "But the rules are actually tailored to benefit mass agriculture producers at the expense of small farmers."[2] It's no surprise that lobbyists for Big Cheese (as it were) would push for these regulations, even though they do it in the name of public health. K. Dun Gifford, founder and president of Oldways Preservation & Exchange Trust—founded in 1988 to promote healthy eating, encourage sustainable food choices and preserve traditional food ways—has also alleged that these large manufacturers, which already pasteurize their cheese, may be behind the FDA's testing regime.

BUT EVEN if that sounds too Machiavellian, it still seems an awful lot of fuss about a food you can avoid, if you choose, without ruining a great meal. Unpasteurized cheese hasn't felled the French, who celebrate cheese as a course on its own, often twice a day. It's more likely that raw milk cheeses have contributed to a healthy build-up in their stomachs of usefully aggressive antibodies. The Surgeon General finds labels sufficient to warn consumers of the deadly hazards of cigarette smoke. Wouldn't it be simpler to allay the fears of anyone anxious about the safety of cheese by requiring informative labeling? "We would look at labeling as a possibility", says Smith DeWaal, pointing out that similar labeling has been discussed for ready-to-eat meats that carry the risk of *Listeria*.

In response to food safety handwringing, it's tempting to paraphrase TV producers' petulant retort to viewers complaining about television content: if you're worried about death by cheese, don't buy it. Because even that supermarket orange brick sealed in its sanitary vacuum pack may not be as innocuous as it looks.

Max McCalman would like to see American artisan cheesemakers allowed to make their own case for their product. "We have just gone through the best cheese times this country has ever known. All cheeses, not just 'uncompromised' cheeses, are selling at an all-time high. The number of makers of cheese has soared dramatically. This is their survival. So many of them will lose their jobs" if pasteurization becomes required for all cheese production. "I applaud the FDA", he says. "On a shoestring budget, they have watched out for our health by taking samples of many food types." He pauses, then states with some force, "But lay off the cheese!" □

[2]Rod Dreher, "USDA Disapproved: Small Farmers and Big Government", *National Review*, January 27, 2003.

Letters to the Editor

We welcome brief comments (under 300 words) from our readers.
Due to space constraints, all letters are subject to editorial revision. Remarks should be addressed to:

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Reviews & Essays

In the Ranks of Death

Martin Walker

Williamson Murray and Major General Robert H. Scales Jr., *The Iraq War: A Military History* (Cambridge, MA: Belknap-Harvard Press, 2003), 311 pp., $25.95.

Oliver North, *War Stories: Operation Iraqi Freedom* (Washington, DC: Regnery Publishing, 2003), 322 pp., $29.95 (includes DVD).

Todd S. Purdum, *A Time of Our Choosing: America's War in Iraq* (New York: New York Times Books, 2003), 319 pp., $25.

Martin Walker, ed., *The Iraq War: As Witnessed by the Correspondents and Photographers of United Press International* (Dulles, VA: Brassey's Inc., 2003), 225 pp., $19.95.

Sara Beck and Malcolm Downing, eds., *The Battle for Iraq; BBC News Correspondents on the War Against Saddam* (Baltimore: Johns Hopkins University Press, 2003), 216 pp., $27.95.

Sir John Keegan, ed., *Daily Telegraph War on Saddam* (London, UK: Constable & Robinson, 2003), 192 pp., £12.99.

Wesley K. Clark, *Winning Modern Wars* (New York: PublicAffairs, 2003), 218 pp., $25.

Sir John Keegan, *Intelligence in War: Knowledge of the Enemy from Napoleon to Al-Qaeda* (New York: Knopf, 2003), 387 pp., $30.

Abraham Rabinovich, *The Yom Kippur War: The Epic Encounter that Transformed the Middle East* (New York: Schocken Books, 2004), 543 pp., $27.50.

WHEN ASKED for his own account of the battle of Waterloo, the Duke of Wellington replied that the very idea was foolish, that one might as well try to write the history of a ball. Perhaps he felt that his own official dispatch on the conflict should suffice for the ages (although the Duke went on to produce a further "Waterloo Memorandum" in 1842). And yet for almost 180 years, Waterloo was widely reckoned to be the most thoroughly described battle in history thanks to the pioneering work of Captain William Siborne, who sought to produce an exact model of the battle that ended the Napoleonic wars. He accumulated accounts and letters from many of the British participants, which probably introduced a certain bias, but by the time Thackeray sat down in the 1840s to write

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the Waterloo scenes of *Vanity Fair*, there was a massive body of eyewitness material to guide the novelist's imagination. And in the small Hotel des Colonnes overlooking the battlefield, where Victor Hugo wrote *Les Miserables* in 1861 with its famous account of the battle, there was a pile of French memoirs of the battle to hand.

Yet controversy still reigns, and not only in the bizarre new history by the French foreign minister, Dominique de Villepin, whose *Les Cent Jours* suggests that Napoleon's great defeat "gleams with an aura worthy of victory." In 1994, David Hamilton-Williams, an English historian, published *Waterloo: New Perspectives*, claiming to have delved in the Dutch, German and Belgian sources (and those nationalities provided the bulk of the Duke's army) to give a much fuller account of the battle, particularly on the Duke's left wing where few British troops were posted. He also claimed that Siborne, running out of money to finance his project, "traduced history" by soliciting funds from his wealthier sources, bending his history to suit the vanity of his more generous donors. Finally, and in defiance of the Duke's grumble that Siborne had given too much credit to General Blucher's Prussians, Hamilton-Williams suggested that Siborne was part of a British "conspiracy" to minimize the Prussian role in the joint victory.

In a series of devastating articles in the Napoleonic journal *First Empire* (numbers 23, 25 and 26) and in the *Journal of Army Historical Research*, Hamilton-Williams was accused of unfairly blackening Siborne's achievement and inventing his own sources. Visitors to the Hanoverian archives and to the Siborne archives in the British Library were unable to find some of the more dramatic materials he cited, including the private journal of Major George Baring, who commanded the King's German Legion defenders of the central farm of La Haye Sainte until their ammunition ran out and the farm fell. The late Colonel John Elting, West Point's sage on Napoleonic affairs, called the book an "outright fraud." The German military historian Peter Hofschroer (who really had gone through the Dutch and German archives to produce his *1815: The Waterloo Campaign*), when asked to specify what was wrong in Hamilton-Williams's book, replied to one inquirer that "from the first page to the last" it was consumed with error.

SO IF A BATTLE as familiar and well documented as Waterloo—with nearly two centuries of hindsight and historiography to its credit—can continue to arouse such passionate dispute, what is to be expected of the new crop of instant books on the Iraq War? The first objection to all of the accounts listed above is that they are distinctly premature. Indeed, Williamson Murray and Robert Scales, the authors of the most conventional and in that limited sense the most successful of these books, frankly admit:

> As we put this book to bed in mid-August 2003, it is not entirely clear whether the conflict that began in mid-March has actually ended. . . . Whether [the postwar] violence represents the death throes of an evil and pernicious regime or the first phase of a protracted guerilla insurgency it is impossible to say.

The second objection is that far exceeding any Anglophilia of Captain Siborne on Waterloo, they are unashamedly one-sided. They are written from the Anglo-American side, and offer almost nothing from Iraqi sources. Anyone seeking to discover what kind of strategic discussion or planning took place in Baghdad, whether the Iraqi Army (as opposed to the Republican Guard or the Saddam Fedayeen) deliberately chose not to put up much of a fight, or indeed whether the Ba'athi regime planned, armed and equipped a postwar resistance,

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will find little illumination here. Oliver North's gung-ho account of American courage and prowess presents the kind of anecdotal evidence that most of us who accompanied the troops also witnessed:

> It's not uncommon for Marines sweeping through a trench line from which they have just taken fire to find the positions littered with green uniforms, helmets, gas masks, empty magazine pouches, and black boots. And then, a few moments later, dozens of beardless young men with short, military-style haircuts, garbed in Arab dress, are just standing around with no apparent place to go. Everyone knows that just minutes or hours before, they were wearing the discarded uniforms.

But this kind of tunnel vision is in the very nature of the instant books on war, although the model for the genre, Winston Churchill's *The Malakand Field Force* (on India's North-West frontier) and *The River War* (on the Omdurman campaign), spends considerable time on local color and customs and the military traditions and tactics of the foe. Consider *A Time Of Our Choosing*, which is the *New York Times*'s version of the war. Assembled by Todd Purdum, the book benefits only to an extent from the presence of the excellent John Burns as the newspaper's correspondent in Baghdad. And yet the fascination for some sense of life behind enemy lines was clear from the wave of interest worldwide that greeted the intriguing Internet journal of the young Iraqi architect known as Salam Pax, who is now an occasional columnist for Britain's *Guardian* newspaper.

The *Times*'s version is thorough and wide-ranging, focusing almost as much on the politics and diplomacy as on the war itself, although it sometimes reads as if the author has spent too much time with techno-thriller prose. One of its more original elements, the *Times*'s version of Saddam's looting of the central bank, is rendered thus:

> It was 4 AM when the two men arrived in the empty darkness of downtown. They carried a letter from the president, bearing his signature and authorizing a large transaction. They gave no reason. They did not have to. No questions were asked. Soon enough, Qusay Saddam Hussein, the president's second son, and Abid Hamid Mahmoud al-Tikriti, Saddam's personal assistant, were overseeing the loading of 236 boxes into three tractor-trailers outside Iraq's Central Bank. A team of workers took two hours to finish the job. Bank employees were meticulous, good bureaucrats to the end. They kept records of every batch of bills, then placed a packing slip enumerating the contents into each box before it was sealed. Over the years, Saddam and his family would sometimes demand cash from Iraqi banks. "Small amounts, maybe $5 million", one official said. This withdrawal was something else again. The total haul: almost $1 billion. There was $900 million in $100 bills and perhaps $100 million worth of euros, about a quarter of the country's hard-currency reserves, enough to rank as one of the largest bank robberies in history. Then again, Saddam's power was so absolute that this seizure might have broken no laws.

THERE ARE three classic forms of the instant war book. The first, exemplified by Oliver North, is one reporter's account of what he saw and felt and thought was happening. This suffers in perspective, since like most of the embedded reporters, North could only be in one place at a time and thus is able to offer only a partially organized worm's-eye view. But North's background as a Marine officer stands him in good stead, and his account of landing in a helicopter into the Baghdad palace complex and taking fire on a series of casualty evacuation missions is riveting and well written, with an actuality that anyone who has been under fire knows just cannot be faked. Of the various "I was there" war memoirs, North's stands

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out, although his rants against anti-war protesters, Hollywood, the rest of the American media and the French become tiresome. In addition, the 'Ollie-rant' tends to undermine his credibility when he writes of finding evidence of equipment used to disperse chemical weapons. He also misspells Osirak, the name of the French-built Iraqi nuclear reactor that was destroyed by the Israeli Air Force. His relentless political agenda weakens what is otherwise a valuable eye-witness account, although it does produce the occasional good line. He notes that the troops

> know the French have wimped out once again. And they are quick to remind any journalist who will listen that it's okay because, as one Marine puts it, "the French have always been there when they needed us."

The second type of instant war book is the *New York Times* sort. It makes use of the paper's stories as raw material for a slightly later, would-be magisterial account that employs hindsight and reporters' varying perspectives to give an overall account of the war on many fronts, political as well as military. Of its kind, it is good, but at the same time is easily outmatched on topics such as the nature of the war and what the war revealed about the current state and doctrine of the U.S. military by the Murray-Scales book.

Murray and Scales stress the degree to which the U.S. military had changed since the Gulf War. They point out that the improved firepower, mobility and air support meant that the division was no longer the essential unit of organization, but that, rather like the German military in World War II, the U.S. Army had sufficient common doctrine and training that it could be swiftly and flexibly re-organized to fight in *ad hoc* task forces. There are usually three brigades in a division, and the authors suggest that by 2003, each of the Brigade Combat Teams could match the weight and coverage of a Gulf War-era division. They also point out the advances in the deployment of precision weapons:

> In previous wars, the measure of effectiveness was the number of sorties necessary to destroy a single target: in this war, the measure of effectiveness was the number of targets a single sortie could destroy.

The air war was shatteringly effective. By the eve of the assault on Baghdad, the three Republican Guard armored divisions that had been holding the approaches to the Iraqi capital had been destroyed. At the start of the war, they had deployed some 850 tanks; by April 8, just 19 remained still operational. Of their 550 artillery pieces, 510 had been eliminated. The skilled combination of the use of sensors, drones, battlefield intelligence and ground-air cooperation (particularly in the case of the Marines, who deployed Marine pilots in their front-line units to coordinate air strikes) was extraordinarily effective. But this was not achieved without loss. Murray and Scales discuss how *not* to use air power in their account of the ambush of the Army's 11th Attack Helicopter Regiment when it tried to soften up the Republican Guard's Medina Division. Fuel shortages and logistical foul-ups meant there was only enough fuel for two-thirds of the Apaches assigned to the attack, and the attack went in three hours late. But nobody told the artillery, which was meant to prepare the battlefield with a barrage of shells and ATACMS (Army Tactical Missiles) just as the Apaches went in. In the three post-barrage hours before the helicopters went in unsupported, a spate of intercepted cell phone calls suggested that the Iraqis suspected what was to come, and they met the helicopters with a storm of steel from every gun and RPG (rocket-propelled grenade) in the division. The 11th was lucky that only one Apache was shot down, although all of the helicopters were hit.

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APART FROM the grueling battles of attrition around Najaf and Nasariyah as the Saddam Fedayeen forces tried to interrupt crucial U.S. supply lines, the three hardest battles of the war took place on the outskirts of Baghdad. The relative absence of embedded reporters with the ability to transmit their stories and images out meant that the battle of Highway 8, on the way into Baghdad, the Objective Titans battle and the Marines' tough assault across the Diyala river received far less attention during the war that each deserved. (Oliver North has a good account of a preliminary skirmish of the Diyala crossing, when his helicopter was shot up when scouting for a crossing point and forced to land.) At Diyala, the Marines finally had to mount an infantry assault across a half-demolished bridge, pushing planks across the gaps while under fire, before finally storming the Iraqi defenses, some of them with the bayonet.

On Highway 8, the main highway into Baghdad from the southwest, the 3rd Division's 2nd Brigade Combat Team forced their way into Baghdad with an armored column, but then the defenders ambushed the soft-skinned vehicles that were following. At Objective Curly, one of the Highway 8 intersections, the U.S. troops came within an ace of being overrun. The medics and the chaplain picked up guns, armed the wounded, and fought for their lives as artillery was called in almost on top of them to scrape off the attacking irregulars.

Finally a rescue mission reached them, just as the air support arrived. But for the tiny *ad hoc* band of combat engineers, a mortar platoon and four Bradleys that made up the command of Captain Zan Hornbuckle at Objective Curly, it was a very close-run thing.

The Objective Titans battle has barely been covered at all, although this day-long fight to seal the Highway 1 northern exit road from Baghdad was ferocious, as the 3rd Brigade Combat Team fought to prevent Iraq's elite from escaping the city. The 7th Cavalry fought an intense battle for the last remaining bridge with a large Republican Guard tank force, knocking out eight of them. (The best account of this battle came almost live from CNN's Walter Rogers, attached to the 7th Cavalry, who was consistently one of the outstanding combat reporters of this war.)

The third form of instant war book is one that re-assembles the on-the-spot reporting of a team of journalists, tries to give some perspective with an introduction and conclusion, and cobbles it all together into some form of coherence. (Interest declared: this is precisely what the current reviewer sought to do in *The Iraq War: As Witnessed by the Correspondents and Photographers of United Press International*.) And from personal experience, to make a book out of the vast mass of day-to-day journalism filed by correspondents with the Marines and troops in Iraq, with Special Forces in the north, with the British troops at Basra, aboard aircraft carriers, from Jordan and Turkey and Kuwait and Egypt and Brussels and London and New York and Washington, is not as easy as it sounds. In her forward to the book, Margaret Thatcher kindly wrote that "written under the lash of the deadline, it passes every test of accuracy and prescience—history vividly told and shrewdly judged."

The BBC and Britain's *Daily Telegraph* each swiftly published excellent books of this kind, and unlike the *New York Times* account, that of Oliver North or, worse, Wesley Clark, they give the separate British operation at Basra the attention it deserves. Murray and Scales rightly devote a full chapter to the British war, and also point out the essential role of the Royal Air Force tankers in maintaining the U.S. air campaign. But the presence of the eminent military historian Sir John Keegan as the *Telegraph*'s military correspondent gives their version the edge over

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the BBC account. Keegan repeatedly stressed the point, too often understated in much of the American reporting, that the Iraqis "ignored every rule of defensive warfare. They also handled their troops in an illogical fashion", he adds.

> Saddam had on paper nearly 400,000 soldiers at his disposal, consisting, in descending order of quality, of his Republican Guard of six divisions, his regular army of 17 divisions and his paramilitaries, including the Fedayeen irregulars and the Ba'ath Party militia, totaling perhaps 30,000. In orthodox military practice, the Republican Guard, less perhaps a portion held back for last-ditch defense, should have been committed first, to blunt the coalition onset. The regular army should then have been committed to reinforce the Republican Guard when and where it achieved success. The paramilitaries should have been kept out of battle, to harass the invaders if the regular defense collapsed. Saddam fought the battle the other way around.

The BBC and *Telegraph* books also differ in the crucial perspective, which bedevils all Western reporters who hope to maintain some kind of objectivity in the cauldron of war, of knowing what side one is on. Despite some superb reporters like John Simpson, with the Kurds and Special Forces in the north, there is a fastidious tone to the BBC book, as if to suggest that it would be beneath the institution to show the slightest partiality to the side represented by the government that sustains them (and even less to the Bush Administration). Keegan may be harsh when he concluded at the war's end:

> The brave young American and British servicemen—and women—who have risked their lives to bring down Saddam have every reason to feel that there is something corrupt about their home-based media.

And yet most of the nonsense about the Americans facing defeat at the hands of Saddam loyalists, or serious setbacks with the sandstorm, came from armchair strategists in London and Washington (and rather more gleefully in Paris, Berlin, Cairo and Amman) rather than with the reporters at the sharp end.

But one knows what Keegan means. And if objectivity be the test, then this reviewer for one has failed it. Still, I am not much embarrassed by re-reading some of my own understandably heated copy from the immediacy of the front lines, in which I confessed that I had

> learned to love the military. Time after time, they saved our necks. They put our soft-skinned vehicles behind their armor when the shells came in. They told us when to duck and when it was safe to move. They shared their food and water with us and were embarrassingly grateful when we let them use our satellite phones to call home. We were embarrassed that it was all we could do for them. . . . Forget journalistic objectivity. There were armed men across the road trying to kill me and my protection depended on these troops, many of whom I now knew by their first names. There was no question which side I was on.

IT IS CLEAR that the most salient reasons given by the British and U.S. governments for going to war turn out to have been a great deal less than compelling. They seem to have been largely wrong about the scale, danger and battlefield availability of Saddam Hussein's vaunted weapons of mass destruction, albeit wrong in the company of U.S. and British and Israeli (and French and German) intelligence. Does this rob the war of legitimacy? Not for anyone who saw Iraqis kiss British tanks in Basra and hail the weary Marines in Baghdad, nor even for those reporters who stayed on to chronicle Saddam's torture chambers and the mass graves that remain the most pungent and enduring monument to the Ozymandias of Baghdad.

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There was, in those thrilling moments in April, a mood of liberation in much of Iraq, however much it may have become squandered since, in large part because of the rather endearing fact that Americans, to their credit, do not make natural imperialists. And many of those who initially supported the war—witness several of the Democrat presidential candidates—have subsequently taken advantage of postwar occupation setbacks to modify their views. Wesley Clark has been accused of this, unfairly in my view, on the basis of several conversations in the spring and summer of 2002 when Clark and I both served on a team examining the principles of coalition warfare that was organized by the Institute for the Study of Diplomacy at Georgetown University. His view then consistently echoed Churchill's celebrated line that the only thing worse than fighting with allies is fighting without them—despite the inevitable costs in diplomatic or operational compromise.

Clark's book, *Winning Modern Wars*, is schizoid. The first half is a highly competent summary and analysis of the war. The second half is largely a garrulous and not entirely coherent political campaign manifesto—rendered largely irrelevant because of his political implosion—that attacks the Bush Administration's foreign policy record and offers much bromide in its place.

The book has come in for considerable criticism, notably Max Frankel's *New York Times* review which called it "a polemic" and sneered that it was "obviously designed to abet the swift transformation of a once embittered warrior and armchair television analyst into a hard-driving, platitudinous candidate for president." But Clark has a point when he concludes that

> [T]he strategy was flawed, out of balance; too much effort against Iraq, not enough against the terrorists themselves. . . . The Bush Administration's focus on Iraq had thus far weakened our counterterrorist efforts, diverting attention, resources and leadership, alienating allied supporters, and serving as a rallying point for anyone wishing harm to the United States and Americans.

The most striking note in Clark's book comes when he acts as a reporter, visiting the Pentagon in November, 2001, and using his old military contacts to chat with

> one of the senior military staff officers. Yes, we were still on track for going against Iraq, he said. But there was more. This was being discussed as part of a five-year campaign plan, he said, and there were a total of seven countries, beginning with Iraq, then Syria, Lebanon, Libya, Iran, Somalia and Sudan. So, I thought, this is what they meant when they talk about draining the swamp. . . . It seemed that we were being taken into a strategy more likely to make us the enemy—encouraging what could look like a clash of civilizations—not a good strategy for winning the war on terror.

Evidently, Clark was writing before the capture of Saddam Hussein, before the British, French and German foreign ministers succeeded in persuading Iran to submit to the intensified inspections of its nuclear facilities by the International Atomic Energy Agency, before Libya's Qaddafi agreed to drop his nuclear ambitions and accept inspection by British and American experts, and before President George W. Bush's important speech on encouraging the Arab world towards democratic reforms. Bush has dared to cut through the Gordian knot of decades of failed policy in the region to argue that "Sixty years of Western nations excusing and accommodating the lack of freedom in the Middle East did nothing to make us safe." The Bush Administration's grand strategy now looks considerably more coherent, if still highly daunting.

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THE PROBLEM that remains—and persists on several different levels—is that neither the White House nor the Pentagon (the faults of the State Department and the CIA are less clear) seems particularly well informed about Iraq and the region generally. The ugly truth of the brilliant military victory over Saddam Hussein's reluctant forces is that the U.S. experienced a series of intelligence failures, tactical as well as strategic. The most obvious concerns Iraq's supposed weapons of mass destruction. The most strategically embarrassing was the misjudgment over the impact of the Turkish election and the presence of a new and moderately Islamist government on the Pentagon plan to invade Iraq on two fronts with the 4th Division attacking from the north through Turkey. In the event, the Turkish parliament failed to approve the plan.

Tactically, the most telling comment on the inadequacy of U.S. Intelligence (cited in Murray and Sales) comes from Major General James Mattis, commanding the 1st Marine Division, who noted that "T. E. Lawrence had a better idea of the personality and capability of his Turkish adversaries in World War I" than he, Mattis, was ever able to get from U.S. intelligence concerning the Iraqis. The use of the Saddam Fedayeen against the U.S. supply lines at Nasariyah came as a nasty surprise, despite abundant evidence in the Iraqi media that Saddam's sons were organizing just such a force. The reluctance of the Shi'a in the South to embrace their liberators, until they were convinced they would not be abandoned as they were in 1991, was equally unexpected, as was the ability of a relatively small group of Ba'athi militants to maintain their authority in Basra.

Politically, the reliance on the Iraqi exiles led by Ahmed Chalabi, and the acceptance of their biased advice to purge all known Ba'athi and dismantle the Iraqi Army, has put formidable obstacles in the path of postwar stabilization. The failure (or perhaps refusal) of the Pentagon to make use of the State Department's impressive multi-volume plan for postwar reconstruction was at best ill-informed, but it was just one element in an evident breach of understanding between these two grand institutions of the American state for which the president and his national security adviser, Condoleezza Rice, bear the ultimate responsibility. Throw in the bureaucratic civil war over intelligence between the CIA and the Pentagon and there were times, before and after the war, when the Bush Administration appeared seriously and alarmingly dysfunctional. The final intelligence failure was to underestimate the potential for postwar resistance.

None of this should come as a surprise to anyone who has read Sir John Keegan's new book, *Intelligence in War*. In a spirited gallop through Admiral Nelson's Mediterranean campaign; Stonewall Jackson in the Shenandoah Valley; the wireless-dependent naval battles of Coronel and the Falklands in 1914; and Crete, Midway, the Battle of the Atlantic and the issue of Hitler's secret weapons in World War II, Sir John points out the endemic uncertainty and misuse of necessarily flawed intelligence. In the real world of battle, it is a critical but often misleading tool. Whatever the claims of the spooks (who usually tend to be more dubious than the political customers like to hear), infallibility is not a human quality. Generals and statesmen can never do everything with intelligence, even if they can seldom achieve much without it.

This is a most useful corrective to the delusion that has emerged since the revelations of the Ultra system at Bletchley, which read encrypted German signals, that intelligence can win wars. Take the classic case of Crete, in which General Freyburg's garrison of British regulars and

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good Australian and New Zealand troops heavily outnumbered the German 7th Parachute Division and 5th Mountain Division attackers. Thanks to Ultra decrypts, Freyburg knew when and where the Germans were coming but was still defeated because his reading of the intelligence was faulty (he kept expecting a further seaborne invasion) and because he could not fully envisage the losses the elite German troops were prepared to take to seize control of the crucial airfield. Throw in some flawed tactical decisions by local commanders, and Crete was lost. And all the skill of the American naval cryptologists in predicting the Japanese attack on Midway might not have staved off defeat but for the sheer good fortune of the last flight of American warplanes in finding Admiral Nagumo's carriers with their decks still in easily inflammable chaos from the hasty attempt to re-arm the strike aircraft to attack American ships rather than land installations. Sir John concludes:

> In the last resort, intelligence is a weak form of attack. . . . Foreknowledge is no protection against disaster. Even real-time intelligence is never real enough. Only force finally counts.

THE FORCE of that judgment is amply corroborated in Abraham Rabinovich's excellent *The Yom Kippur War*. Indeed, his dismaying account of the monumental failure of AMAN (Israeli Military Intelligence) to predict the joint Syrian-Egyptian attack in October 1973 demonstrates the Keegan rule. The Israelis won all the same, even though the three main advantages on which they counted each proved flawed.

The Israelis were convinced that they would have sufficient warning of an attack to mobilize their reserves. Thanks to General Eli Zeria's breathtaking self-confidence in his own assessments of the intelligence, the Israelis had almost no warning. Then the Israelis were convinced that their superb Air Force would be able to hold the line even if the warning failed. Not so. The SAM missiles that the Soviets had supplied to the Arabs in such abundance meant that the Israelis lost a quarter of their Air Force in the first three days, with little to show for it. The Israeli Air Force commanded the skies over the whole Middle East, except for those two crucial battle zones over the Golan Heights and the Suez Canal.

The Israelis were also convinced that their armored forces were so much higher in quality than the despised Arab foes that their counter-attacks would quickly send any impudent Arab incursions fleeing back to Cairo and Damascus. Again, they had not counted on the Soviet provision of masses of Sagger anti-tank missiles and RPGs to the Arabs, and the Egyptians had been trained under General Shazly's bold and clever plan for a limited invasion to make excellent use of them and to destroy the Israeli tank charges as soon as they came into range. Finally—and this is less a failure of intelligence than of imagination—the Israelis had never expected the Arabs to fight so well, or as bravely as they did.

If Rabinovich's book has a flaw, it lies in the way he rather skates over the issue of whether Israel was by the third day of the war so desperate that it came close to using nuclear weapons. Certainly Defense Minister Moshe Dayan was telling Air Force General Benny Peled to scrap all the careful plans to attack the Egyptian missile system because "the Third Temple is falling." Rabinovich notes that on the morning of October 9, the Israeli general staff recommended taking "extreme measures." But there he leaves it. Media reports that Israeli aircraft were loaded with nukes are simply ignored. He does not deal with the subsequent Cabinet decision to go no further, nor with the suggestion by other authors that Israel simply flirted with the nuclear option in order to convince the U.S. government of

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the seriousness of its plight. But then this would be intelligence of another kind, the deliberate use of disinformation, rather like the attempts of Generals David Elazar and Haim Bar-Lev to stage a radio conversation in which they described their beating off of an Egyptian armored attack as an Israeli defeat, in the hope of tempting the Egyptians to try again.

Old Lessons, New Students

INTELLIGENCE and disinformation are as old as war, and this brings us back to Waterloo. The Duke of Wellington had learned in Portugal and Spain that the way to frustrate the French attacks was to hide the bulk of his troops behind a ridge line, sparing them from the massed bombardments of the excellent French artillery. This had the added advantage of confusing the enemy about his strength and his dispositions. Napoleon made a personal tour of the battlefield, walking dangerously close to the British lines at 2 AM on the night before the battle, in order to place his massed artillery to best advantage. But Napoleon still found himself uncertain not only where the British and allied troops were posted in most strength, and above all did not know that the only half-defeated Prussians were plodding through the Belgian countryside to unleash a devastating attack on his right flank and rear. A couple of regiments of the magnificent cavalry that Marshal Ney wasted in fruitless attack on the British squares—if sent out to scout—might have warned Napoleon of the Prussian advance. It was not only the fault of Marshal Grouchy, failing to pursue the Prussians closely enough after the battle of Ligny to keep them out of Napoleon's attack on Wellington, it was a monumental failure of elementary battlefield intelligence on the part of the French. Perhaps that lesson, along with subsequent misadventures in 1940, helps explain the latest fashion in Jacques Chirac's Paris for military timidity and diplomatic aggression, whatever Chirac's bombastic foreign minister might spout about Waterloo as some kind of French triumph. □

Martin Walker, Editor in Chief of United Press International, took part in the attack on Basra with the British troops.

Dangerous Risks

If care is not taken, international forces will be introduced not as peacekeepers or even peace enforcers but as a substitute for effective civil authority. Many of the proposals for use of international in these situations are asking, in effect, that they play the role of the old imperial powers. Yet despite the lure of riches and glory, the imperial powers lacked the will to sustain such a role; it is not clear why an international force should fare better, absent any specific national interest. Unless the international force can muster an exceptional level of local support, it will have to use force and take casualties that will cause its mission to be questioned around the world.

—Paul D. Wolfowitz, "Clinton's First Year", *Foreign Affairs* (Jan/Feb 1994), p. 38.

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The Terrorist as Statesman

Kevin Myers

Gerry Adams, *A Farther Shore: Ireland's Long Road to Peace* (New York: Random House, 2003), 448 pp., $25.95.

IN THE 1930s, with the ghastly blood-letting of 1916–22 at a reasonably safe distance, nationalist Ireland began to create a fresh narrative about those Troubles, one which was thoroughly sanitized. This tale was drenched with Irish victimhood, British villainy and republican gallantry; Irish nationalism had discovered something entirely new in the history of war: peaceful terrorism.

The scores of innocent civilians who were killed in the rising in Dublin in 1916 were forgotten. So too were the Protestants murdered by the Irish Republican Army (IRA) because of their religion, and the thousands of "loyalists"—people faithful to the union with Britain—driven from newly independent Ireland. The campaign against Irishmen who had served in the British army in the Great War—hundreds were murdered—completely vanished both from the popular memory and the official histories.

Most of us who have lived through the latest version of the Irish Troubles—which started in 1969—would have been confident that no such historical fable-making was possible any longer. The atrocities of the IRA had been too spectacular, too visible, too frequent for republicans to be able create a cleansed narrative in which they were unsullied heroes. I certainly believed that, though I really should have known better, since I have made it my business since the 1980s to write in my column in the *Irish Times* not just on the current Troubles, but also on the Troubles of 1916–22, using contemporary newspaper files as my source.

Archives of *Irish Times* issues dating back to the first Troubles make for terrible reading, because contrary to what one might expect from reading the history books, enough of the truth of IRA atrocities was being reported daily. To be sure, the poor wretches who were secretly abducted, tortured, killed and buried did not figure in these reports (how could they?); but the campaign against the ex-servicemen—it was even called that in the papers—emphatically did, with the newspaper keeping a melancholy score of the daily toll. The attacks on Protestants in West Cork, their murders and the forcible eviction of thousands were extensively covered too.

So too were other truths. That contrary to what many people believed, Kevin Barry, the great republican martyr of the Troubles, wasn't executed simply because he was an Irish republican, but because he had murdered two boy-soldiers collecting bread. Nor was he the first victim of the hangman's noose in the Troubles. That dismal distinction went not to an Irish republican, but to a policeman the week before Barry was hanged. He was executed for murdering a civilian.

Yet Irish nationalism was nonetheless able to eradicate the dark stain of murderous truth from its self-absorbed and self-justifying narrative. When the perpetrators of quite terrible deeds—such as Tom Barry, Ernie O'Malley and Dan Breen—wrote their memoirs, there was already a congenial mythological setting for them to find their place. Their factual corruption entered almost all official histories, like a modern computer virus.

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PRECISELY the same diseased process is occurring now. Gerry Adams, the IRA leader throughout the Troubles from 1971 onwards, who in another epoch would certainly have been tried for war crimes, is now the most respected political party leader in all of Ireland. Barely less respected than him is his fellow IRA chieftain, Martin McGuinness. Between them, as leaders of almost certainly the most ruthless terrorist organization in Europe, they can confidently count on being responsible for the deaths of many hundreds of people.

A squalid symmetry indicates how the narrative has been corrupted and turned on its head. In December 1972, Jean McConville, a widow, was abducted from in front of her screaming family, then tortured, murdered and secretly buried in 1972 by men of the 2nd battalion of the Belfast IRA, whose commander was Gerry Adams. The reason? She was a Protestant living in a Catholic area, and was suspected of being an informer. Her ten children, the oldest 15 years of age, were left for months to fend for themselves before the family was broken up and put into orphanages. At the very least, Adams must have known about the fate of this woman; at the very worst, he was responsible for it. It was the worst single crime of the Troubles.

Jean McConville's bones were accidentally found in the Irish Republic last year, and in November 2003, she was finally given a proper funeral, 31 years after she was murdered, in St. Peter's church in the IRA heartland, the Falls Road in West Belfast. The church was half empty, neither the British nor the Irish government was represented, and the Falls Road looked away as her coffin passed by. At least, the presiding priest, Monsignor Thomas Toner, placed the event in context.

> In the history of our Troubles, there can be no more despicable act than the abduction, murder and casual disposal of the body of Jean McConville and the subsequent plight of her children. It is our most shameful example of the moral corruption and degradation that violence generates in the human spirit.

Not long after that funeral, Gerry Adams' father died. The same church was full to bursting, the Falls Road closed down out of respect, and thousands lined the street to watch the funeral procession.

The corruption of this peace process had reached its ultimate moral nadir. Or so it seems; who knows what other degradations await us as the propitiation of terrorist culture continues?

All is possible, as we have to endure the grotesque effrontery of Sinn Fein leaders giving us moral homilies, even as pools of blood form at their feet. Sinn Fein-IRA now apparently believe the moral façade they built to impress gullible foreigners. Sinn Fein representatives now actually talk down to people; they speak as if they have been the guardians of decency, rather than the night-watchmen of a torture chamber for the past thirty years. Have you any idea what it is to be condescended to by such creatures?

The moral superiority, the falsehoods and the pathological amnesia that lie at the heart of Irish republicanism are there in full and plenteous measure in Gerry Adams's latest contribution to the world of fiction—entitled *A Farther Shore* in America, *Hope and History* in the British isles—which nonetheless purports to be fact. And in its own perverse way, it is fact: It probably is an accurate portrait of the Irish republican mental landscape, with its mountains of myth, its lagoons of falsehood, its dark woodlands of unionist and British ogres and its hamlets populated by peaceable Irish republican Hobbits.

The central problem about this landscape for the outsider is that it is intact and whole and compelling for those whom it bewitches, but it is as empty of reality as computer-generated imagery.

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With this CGI-politics comes an entire morality, as intact and self-enclosed as the landscape. This morality is perfectly at ease with the torture and execution of informers; untroubled with bombing blameless cities; at ease with killing people because they are loyalists; and speechless with rage at any perceived injustice done to republicans.

All this homicidal aggression has to have a moral context, and that context is "oppression." No one disputes that there was discrimination against Catholics in Northern Ireland. But even when the province was governed by the Protestant majority, there were Catholic judges and senior Catholic police officers. Catholics had opted out of the state school system, but Catholic schools were 90 percent subsidized by the state. Certainly, however, there was injustice—as in employment in the shipyards and government service, and in the gerrymandered constituencies which gave Protestants disproportionate power—and it was this which the civil rights campaign of the late 1960s was targeting.

But the IRA campaign had nothing to do with civil rights. It was a violent terrorist assault on the union with Britain which a majority of the population of Northern Ireland continued to cherish. And in the process of that assault, infinitely more damage was done to human rights than had been inflicted by unionist rule: Thousands of people died, and tens of thousand were injured and bereaved. The IRA campaign of 1970–95 was a human and moral catastrophe. Terrorism on such a scale in the U.S. would have caused at least 175,000 dead—Vietnam threefold, as it were.

In the Irish republican mind, responsibility for this campaign has been shifted to the enemy—the British and the unionists. History is falsified. Synaptic short circuits in the Sinn Fein brain intensify nationalist victimhood, and form absurd analogies. The favored comparison—of course—is between the lot of South African blacks and Northern Ireland Catholics. But there is no comparison. There was no apartheid in Northern Ireland. Nothing in Northern Ireland compared with the South African pass laws, the thousands of people murdered by the security forces, the countless deaths in custody or the land seizures.

To be sure, in the early stages of the IRA terrorist campaign there were human rights abuses and even torture by members of the security forces. Victims of those abuses sued the British state, and a (Catholic) Northern Ireland judge, Rory Conaghan, denounced the transgressions and awarded the victims generous damages. The IRA's response to this brave and civilized deed? Well, it was to murder him. Why? Because they hated visible signs of justice, and also because taking life was what the IRA did. If in doubt, kill.

Unfortunately, Nelson Mandela and others in the African National Congress (ANC) have been deluded into thinking that the IRA campaign in Northern Ireland was a human rights campaign, and few things are quite as distressing as seeing a good man serving as moral buttress to his precise opposite. No wonder he features prominently in the Adams book. An endorsement from him—which is what he certainly appears to have given the Sinn Fein leader—puts a lot of gasoline in anyone's moral tank.

BUT IS THIS not all very churlish? Are Adams and McGuinness not men of peace? Well, yes but only because they have no choice. By the late 1980s, the IRA campaign was going nowhere. To be sure, IRA terrorists still killed people—building workers, traffic cops and civilians honoring the dead of two world wars. But the terrorist campaign was achieving nothing, and worse, loyalist terrorists (aided by allies in the British security services) were now increasingly targeting republicans and their families.

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The result was the peace process, in which the main proponent of constitutional nationalism in Northern Ireland, the Social Democratic and Labour Party (SDLP) leader John Hume, played a vital part. But Hume, a man uncontaminated by violence, could not deliver the IRA. Adams, contemplating decades of bloody stalemate, could. And with great adroitness—for he is a highly skilled and deeply intimidating operator—over the years, he did. But in the negotiations to end the conflict, the representatives of democratic forces did a wretched job. By the terms of the Good Friday Agreement of 1998, Sinn Fein-IRA representatives were to be allowed into an Executive administering Northern Ireland: but no binding commitments were extracted from the republican leadership that the IRA would disarm. This meant that the IRA could not lose.

Indeed, far from disarming, the IRA continued to re-arm, buying guns in Florida and importing a shipment of AN-94 rifles from Russia, the most deadly weapon of its kind in the world. Punishment shootings and beatings of "anti-social elements" continued in IRA-dominated areas. Whenever the IRA felt like killing someone, it did, even though its representatives were now in government. It even targeted British agents, killing one and wounding another.

What was the response of the British and Irish governments, the joint guarantors to the Agreement, to these violations? There was none: none whatsoever. For far worse than the IRA's failure to comply with the terms and the spirit of the Agreement—understandable, considering the nature of the beast—was the abject refusal of the British and Irish governments to punish that failure. Small wonder that Sinn Fein-IRA felt themselves immune to any law, and to the terms of any contract.

Their delinquencies became spectacular. An IRA unit raided the main police headquarters in Belfast, and made off with computer disks containing the entire counter-terrorist intelligence files. Hundreds of police officers were obliged to move home, and the British army had to draw up contingency plans to evacuate much of the police force in the event of the IRA cease-fire ending.

How was Sinn Fein-IRA punished for this? Well, again, it wasn't. (Naturally, none of this is in the Adams book). So is it surprising that the next step was for the IRA to master a major intelligence operation against not just its partners in the Northern Ireland Executive, but against the American, British and Irish governments also? Its trawl through computer communications even netted confidential exchanges between George W. Bush and the Irish and British prime ministers.

This was a major act of intelligence warfare. But far from Sinn Fein being expelled from the Executive for its complicity in these deeds, the entire Executive was instead suspended. All parties were thus punished for one's party's criminal delinquency—and all this was done with the complicity and approval of the United States government, and in particular of its Northern Ireland observer, Richard Haass, who on this issue was less than adamant on his support for democracy.

HOW IS this possible? How can mature and experienced government officials in Dublin, London and Washington continue to tolerate Sinn Fein's grotesque bad faith? Well, in part, of course, almost anything seems better than the past, a return to which would of course be a catastrophe (though even the dumbest IRA volunteer knows that post-9/11, such a thing is impossible). But there is another reason why governments tolerate republican delinquency.

The Northern Ireland peace process has at its heart no central, guiding morality. For far from politics being an essentially amoral business—as people tend to

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think—it is in fact intensely moral. It speaks to the unspoken moral consensus which—as a matter of course—guards family, life and liberty. Because Sinn Fein-IRA do not understand that consensus—and merely ape what they can perceive of it—they cannot respond instinctively to its demands. They are terrorists on furlough, in a dance class they don't understand. They get some of the steps, but not the meaning of the dance.

That much has been glaringly obvious to the Protestant, unionist people of Northern Ireland. And inevitably, the only person they could punish for the failure to make Sinn Fein-IRA comply with the terms of the agreement of six years ago was David Trimble, the "moderate" unionist leader who had sacrificed almost everything, including principle, to keep the Executive in existence. His party once dominated Protestant politics; now it must take second place to the growing might of Ian Paisley's Democratic Unionists, who are utterly opposed to any deal with Sinn Fein-IRA.

Within the nationalist, Catholic community, the same polarization has occurred. The lessons of the peace process have been absorbed: why be moderate, when extremism will be unpunished and moreover, might well succeed? Sinn Fein has now displaced the Social Democratic and Labour Party as the main party of Catholics. The IRA now rules nationalist areas with fascist rigor—there is an epidemic of young male suicides in such areas, directly connected to republican punishment-beatings.

The Troubles are over, but the sectarian divisions in Northern Ireland are more intense than they were at their height. The police force has effectively been destroyed, and there is no institutional authority left in the Province. Worst of all, the authors of some of the most wicked deeds in Europe since World War II have been embraced and feted—both by good men like Nelson Mandela, and by effete and winsome charlatans like the Clintons and Tony Blair. Evil is rewarded and murderers welcomed in the White House, and Jean McConville's grave is visited only by her wretched, baffled offspring. □

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In making tactical dispositions, the highest pitch you can attain is to conceal them; conceal your dispositions, and you will be safe from the prying eyes of the subtlest spies, from the machinations of the wisest brains.

—Sun-Tzu, *The Art of War*, VI.25

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Bad Laws Make Bad Judges

Fred C. Iklé

Robert H. Bork, *Coercing Virtue: The Worldwide Rule of Judges* (Washington, DC: AEI Press, 2003), 161 pp., $25.

JUDGES, according to Robert Bork, are increasingly usurping authority that belongs to the people and their elected representatives. This usurpation, Bork fears, is robbing Americans and the citizens of other democratic countries of the power to govern themselves. Certainly, the proper functioning of the rule of law is of immense importance in any democracy. How the law is developed and applied defines our individual liberties, protects or limits our political freedom, influences the moral tenor of our society, and shapes the character of our nation.

Robert Bork is right. In democracies—even the best and well-established ones—the functioning of the law is deteriorating. But the rule of law is a process with several tiers and many moving parts. Different bodies either institute the fundamental legal framework, or spell out specific laws, or write the subordinated rules, or apply this ever-growing artifact to specific cases. That those who apply the law from case to case ought to have considerable independence from those who create and enact laws has been part of democratic thought, thanks to Locke and Montesquieu, long before our body politic accepted the principle of universal suffrage.

However, the gravamen of *Coercing Virtue* is targeted on the occupants of the third branch of government, in particular Supreme Court judges who wear the label "liberal" on their sleeves. By imposing the agenda of the liberal Left, Judge Bork writes, "activist, ambitious and imperialistic judiciaries" have taken sides in an ongoing "culture war", diluting "the power of the people of Western nations to govern themselves." Other scholars and politicians have voiced similar complaints, but Bork commands our renewed attention with his supreme mastery of jurisprudential reasoning, his deep-felt moral concerns, and his compelling style. Although Bork hints that the executive and the legislative branch ought to be kept in mind as possible co-conspirators, he focuses mainly on the judiciary. Implicitly, he thus exempts the other two branches of government from his indictment.

This narrow focus, in my view, does not give enough attention to the many interactions between the judiciary and the other parts of the Western rule of law. More importantly, it overlooks a variety of remedies that could mitigate the deterioration of the rule of law. For a prosecutor who must wrestle with a complex conspiracy, it might make good sense to start his case by singling out just one of the accused, preferably the least powerful one. This approach wakes up the jury with a dramatic initial salvo. But unless followed up with the rest of the case, it can be dangerous. Children in summer camp sometimes play the game of holding a magnifying glass to the sunlight so that the focused heat will burn a carbonized dot into a white page—and if they keep this game going they will set their tents afire.

Given the many strengths of *Coercing Virtue*, one is tempted to urge Judge Bork to write a follow-on book that will present

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the remainder of his important case on the deterioration of the rule of law, at home and abroad. Here is a short sketch by a jurisprudential layman of some items that the whole case might include.

Changes in the law, we are all agreed, are necessary from time to time to take account of changing circumstances. A strong subtext of *Coercing Virtue* asserts that it is up to the legislature—the truly *elected* branch—to make such changes.

This point is indisputable, with some important qualifications. First, our judges are not hereditary monarchs. They are either appointed by elected officials and confirmed by a majority of an elected legislative body, or they are elected directly by the people. While they do not have to be re-elected like legislators, they can either be recalled or impeached. To be sure, it is difficult to get rid of "bad" judges, and for a valid reason: to give the Third Branch its independence. (Bork cites the infamous, but happily averted, attempt of Franklin Roosevelt to pack the Supreme Court.) At the same time, it is often just as difficult to get rid of "bad" legislators, largely because of the overwhelming advantage of incumbency.

Second, legislators rarely get rid of bad laws, even laws that have long become obsolete or that include egregious drafting errors. Bork gives a telling example of a badly obsolete law, more than 200 years old, that Congress never found the time—or the courage?—to rescind: the Alien Tort Claims Act of 1789. Briefly put, this law allows *foreigners* to sue in U.S. courts for tort committed in a *foreign* country in violation of the "law of nations." Instead of passing a one-sentence law to repeal this inappropriate old Act, Congress compounded the problem. It adopted legislation in 1996 (with the strong support of the Republican-controlled House!) that enables American victims of terrorist attacks abroad to sue the foreign state that allegedly sponsored the terrorist act. Sympathetic juries have awarded these victims (or their heirs) hundreds of millions of dollars, even though in some cases the State Department had warned all Americans not to venture to the places where these victims were attacked. Meanwhile, the families of our brave soldiers who have been killed defending our country receive a tiny fraction of these jury awards as compensation. To make matters worse, since the accused foreign state (for example Iran) would not pay, Congress allocated taxpayer money to pay these millions; one third of which, no doubt, goes to the trial lawyers. Recently, the trial lawyers tried to get paid from Saddam Hussein's cache of dollar bills captured by the military in Iraq—money they intended to use for Iraq's reconstruction, so as to reduce the need for reconstruction grants from the American taxpayer. Did Congress blow the whistle and abrogate their mistake of 1996? No, it was judges who stopped the robbery.

Bork's excellent chapter on the "internationalization of law" also chastises decisions by judges more strongly than bad legislative or executive branch decisions. Noting that U.S. courts needlessly resuscitated the obsolete Alien Torts Act, Bork then traces this judicial mistake to a whole series of similar harmful "internationalizations." The Alien Torts revival was the primary infection that spread to Spain, where a single judge managed to have the United Kingdom keep Pinochet under house arrest for months, and then infected Belgium, where judges began to convict Africans for murders committed in Africa (and where judges were about to convict Israeli Prime Minister Sharon). Finally, all the infected jurists in Europe rallied around the International Criminal Court. However, it was not primarily the courts that engineered this expansion. The preposterous overreaching in Belgium was made possible by legislation approved by Belgium's elected representatives, and to make the Belgian legislators abrogate this law, it took the threat of U.S. Secretary of

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Defense Donald Rumsfeld to pull NATO meetings out of Belgium. Likewise, in the case of the International Criminal Court, U.S. lawyers from the executive branch (not Supreme Court Judges) participated in the drafting of the court's misconstrued statute.

Among members of Congress, to be sure, a few heroes have valiantly striven to rescind some of the most perniciously faulty legislation, overcoming the inertia of executive branch bureaucrats and the lack of courage, or conviction, of their colleagues in Congress. Representative Henry Hyde (R-IL) stands out as such a hero. He steadfastly struggled for six years to get rid of thirty year-old legislation that authorized federal and state law enforcement authorities to seize houses, cars, boats and other assets before filing charges, merely on the unproven suspicion that the owner was associated with the narcotics trade. Hyde finally prevailed in June 1999, with 375 to 48 votes. The Clinton Administration tried to dilute this measure, perhaps prompted by law enforcement agencies that had benefited financially from seized assets that were not returned to the owners.

ON FREEDOM of speech, Bork concludes that the Supreme Court majorities too vigorously defend subversive advocacy, pornography and obscenity but have "gone soft" in "protecting political speech"—by which he means the Court's acceptance of the recent laws limiting campaign contributions. Trying to restrict campaign contributions is like pushing down a pillow on one side, only to see it bulge on the other. Almost everything done about campaign contributions—well intentioned or not—turns out to be deeply flawed. The one exception might be disclosure requirements, since speech, to be free, need not be anonymous. Unfortunately, free speech is an issue whose borders are so fuzzy that it becomes a favorite arena for all the litigious folks. Yet, let us not lose sight of the overarching importance of our constitutionally guaranteed freedom of speech, just because some Americans have nothing better to do than to sue each other. As Bork puts it splendidly:

> Perhaps no provisions of the Constitution are more central to American democracy and culture than the First Amendment's guarantees of speech and religious freedom.

But in his next chapter on Canada, Bork suddenly expresses some sympathy for Canadian restrictions on hate speech, which he contrasts favorably with the "free speech dogma in the United States." Happily, on the following page he has second thoughts. He reflects on the virulence of "political correctness", and worries—with good reason—"that criminal law will come to be used to stifle even legitimate discussion of group and cultural differences." Indeed, this has already happened in Europe and Canada. Consider this outrageous example: The European Commission against Racism and Intolerance in Vienna, an organ of the Council of Europe, issued a report in 2001 which sternly reprimanded members of parliament in the United Kingdom for the way in which they discussed with their constituents urgent problems of asylum seekers. Seeking to censure freedom of speech in this essential and most legitimate context, the official commission said in its report:

> Regrettably, many politicians have contributed to, or at least *not adequately prevented*, public debate taking on an increasingly intolerant line with at times racist and xenophobic overtones. Public statements have tended to depict asylum seekers and "economic migrants", *explicitly or by inference, as a threat to security, economic stability and social peace.* [Italics added.]

Note that two years later this same com-

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mission became infamous in the American press because it tried to suppress a study it had been asked to carry out on the extent to which Islamic immigrants were responsible for the recent antisemitic violence in Europe.

Even though the Supreme Court may be excessively tolerant of obscenity and pornography, we should be grateful that its hard-line defense of free speech is holding the dike against this tide of "politically correct" censorship that has swept over Canada and Europe. Somewhat begrudgingly Bork seems to agree: "it may turn out in the long run that America's courts were inadvertently wise . . . to refuse to judge speech by its content."

THE encroachment on states' rights is a twin brother of the internationalization of law—that creeping process that *Coercing Virtue* so effectively criticizes. But for both these encroachments that seek to restrict peoples' freedom for self-government, bad judicial decisions are only partly to blame. To a far greater extent, these two campaigns are led by lawmakers and bureaucrats installed in Washington or Brussels. They want to lord over the *hoi polloi* in the provinces: the states of the United States, the member-states of the European Union, the nations of the world.

Let us admit that the liberal encroachment on constitutional rights for self-government began in *our* Republic. The thin edge of the knife was the Sixteenth Amendment authorizing the federal income tax. It was passed in 1913 with astonishingly little discussion or dissent. Only decades later did it become clear that the Sixteenth Amendment could be used to wreck the Tenth Amendment (which reserves to the states, or the people, the powers not delegated to Washington, or not prohibited to the states by the Constitution). The high lords in Washington figured out that they could use the federal income tax to suck money out of the states and then return some of it with conditions attached that would have violated the Tenth Amendment if enacted as freestanding law. So the elected members of Congress—not the bad judges—are coercing virtue among the *hoi polloi* in the provinces, from Oregon to Florida.

Speaking of Oregon, we are reminded that the executive branch also developed new tricks to coerce virtue among the folks in the hinterland. And in a Republican administration to boot. Attorney General John Ashcroft moved against an Oregon law, passed and carefully debated by the elected state government, that authorizes physicians (under narrowly specified conditions) to assist patients dying of an incurable illness to end their lives. Ashcroft is trying to use federal law regulating prescription drugs to prevent doctors in Oregon from following state law. This seems to contradict Bork's finding that "nothing in the Constitution prevents today's citizen from enacting statutes that specify additional liberties."

The European Union does not yet have a "European" income tax. But it thrives and expands on a legal foundation that is the equivalent of our commerce clause: Brussels can rule over any human activity for which the high lords at the center assert the slightest connection with European "free trade" (for example, the length of sausages or the ingredients of beer). American commentators condescendingly make fun of the European "commerce clause", not realizing that Washington's attack on the Tenth Amendment has shown the way. And more importantly, not realizing that given Europe's influence on the internationalization of law (so well documented in *Coercing Virtue)*, the mistakes made by Brussels will be imitated by the UN, which has already tried to levy a UN tax on international business transactions—rebuffed so far (with Senator Jesse Helms's help). How long will this dike

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hold? The construction of the European Union started with noble intentions. The Maastricht Treaty included the EU's counterpart for the Tenth Amendment—the widely touted subsidiarity principle. Now, subsidiarity has ominously been watered down in the new EU draft constitution. One can see the train has left the station, with World Government as its faraway destination.

Where are the intrepid conservatives who will stop this train? Former Representative Bob Barr understands this problem in its dual implication. On the one hand, the states of the American union (and one assumes the member-states of the EU) have the right to protect themselves against the spill-over of laws from other states. This is precisely what Barr achieved in 1996 when he convinced Congress to pass (and President Clinton to sign) the Defense of Marriage Act. This act allows states to *refuse* recognition for same-sex "marriages" performed in other states. Recently, Barr published an eloquent and carefully reasoned argument against the attempt to pass a constitutional amendment on the definition of marriage. As Barr put it:

> Marriage is a quintessential state issue. . . . Make no mistake, I do not support same-sex marriages. But I also am a firm believer that the Constitution is no place for forcing social policies on states.

We need more Henry Hydes and Bob Barrs who can explain to their fellow Republicans and to Democrats that America does not need a Talibanesque Ministry for the Promotion of Virtue and the Prevention of Vice. We must preserve—or perhaps restore—the correct reading of our Constitution so that (in Judge Bork's words) "nothing in the Constitution prevents today's citizens from enacting statutes that specify additional liberties." To learn more about how bad legislation compounds the mistakes of bad judges, we look forward to your next book, Judge Bork. □

Dr. Fred C. Iklé is with the Center for Strategic and International Studies and was Undersecretary of Defense in the Reagan Administration.

The Next World War

What can we say of this strategic doctrine [the Bush doctrine]? Well, the first thing to be recognized is its breathtaking scope, its huge ambition to do no less than to effect a transformation of the political universe—according to some of its language, to stamp out evil and war between states, to create a benign world. Students of international politics who belong to the realist school—as I do—tend to see such goals as utopian, beyond even the reach of a country with the enormous power of the United States. The English journalist Frank Johnson once wittily remarked, "In politics, Utopia is always an important country, always one of the Great Powers." While America has enough strength to defeat all other adversaries and rivals, it remains to be seen whether she can take on and conquer Utopia.

—Owen Harries, *Benign or Imperial* (Sydney: ABC Books, 2004), p. 26.

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A Champion for theBourgeoisie

Reinventing Virtue and Citizenship in Boris Akunin's Novels

Leon Aron

WITH THIS summer's publication by Random House of *The Winter Queen*, the American reader will finally have a chance to savor what is without doubt the most interesting phenomenon in Russia's contemporary literary marketplace. Published in 1998 as *Azazel*, it was the first detective novel by the then 42 year-old Grigory Chkhartishvili, a professional philologist, literary critic, editor and translator of classic Japanese literature who writes under the pseudonym Boris Akunin.

Today, Chkhartisvhili is Russia's most popular writer, having sold over 8 million copies since 1998 despite their unusually high—for Russian books—price of a ruble equivalent of almost $3 each (his latest book, *Almaznaya Kolesnitza*, or "The Diamond Chariot", sold its first printing of 200,000 in a week's time). His success in Russia is particularly startling, since none of his books contains the ingredients said to be the *sine qua non* of popularity in a post-authoritarian, post-censorship literary market: There is little sex (and its brief descriptions are positively Victorian); fights, while brutal and explicitly portrayed, are infrequent; the language is not just clean but pristinely old-fashioned. The texts are crafted carefully and tastefully after the classic 19th-century Russian prose of Nikolai Leskov, Ivan Goncharov and Sergei Aksakov, with echoes of Nikolai Gogol and Fyodor Dostoevsky. Indeed, every novel in the Fandorin series is dedicated:

> To the Nineteenth Century, when literature was great, the belief in progress boundless, and crimes were committed and solved with elegance and taste.

In keeping with the genre, the Akunin books owe much of their appeal to the hero, the master sleuth. Orphaned at 19 when his father, a bankrupt nobleman, died, Fandorin is a descendant of German knights, crusaders and soldiers of fortune, one of whom, by the name of Von Dorn, came to Russia in the 17th century and became the captain of Czar Alexei Mikhailovich's palace guards. (Every one of those details is important, for sooner or later all are put to work by the author.) Fandorin is intelligent, hardworking and fearless. A fitness enthusiast, he practices Japanese martial arts daily, which get him out of many tight corners. (Mirroring the lifelong judo hobby of the country's widely popular and youthful president apparently does not hurt sales.)

A tall, broad-shouldered, trim brunette with bright blue eyes and a neat moustache, Fandorin dresses impeccably and looks like "a model in the latest Paris fashion magazine", with his perfectly tailored coats and snow-white collars and cuffs. Unless working undercover, he is never without gloves, top hat and elegant walking stick, which, naturally, conceals a razor-sharp blade. The finishing touch is his gray temples, incongruous because of the youth and vigor that the rest of his body signals, even as we see him approach

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and pass the forty-year mark. They invariably pique women's curiosity and pity—a combination that proves fatal to many a female heart. The grayness is the result of a personal tragedy at the end of the first book. Losing his bride to a terrorist bombing makes Fandorin a confirmed bachelor and thus opens the narratives to all manner of sidelines and subplots to enliven the mysteries with the hero's intense but almost always chaste relationships with willful, independent, strong, intelligent, feminist-minded and beautiful young women.

In the sleuthing pantheon, Fandorin most closely resembles Lord Peter Wimsey, Dorothy Sayers's athletic, smart and charming aristocratic playboy (like Fandorin, a car enthusiast)—at least until he renounces bachelorhood by marrying Harriet Vane. Chkhartishvili would want Hugh Grant to play his hero.

Yet there is far more to Fandorin's appeal than his smarts, courage and good looks. In Chkhartishvili's intricate narratives, multi-layered and chock-full of allusions, the hero's attractiveness to the Russian reader is likely to be magnified by the era in which the author placed him.

The Mirror of History

BORN ON January 8, 1856, Fandorin, in *The Winter Queen*, investigates his first case in 1876. The most recent book of the Fandorin cycle, *Almaznaya Kolesnitza*, is set in 1905. If today's Russia can be found in a "distant mirror" (that is, following Barbara Tuchman, a moment in history that in some key respects is remarkably similar to the way a country lives now), such a mirror is almost certainly located in the last three decades of the 19th century.

First came the abolition of serfdom in 1861—an event in its impact on the national economy and psyche not unlike the elimination of price controls and privatization in 1992–93. There followed Russia's first and, until Gorbachev, only liberal revolution from above. In addition to the manumission of the serfs, Alexander II's reforms brought radical decentralization and local self-government by elected representatives; abolition or curtailment of nobility privileges; courts "in which all the subjects were equal" before the law; trial by jury in capital cases and a competitive judicial process, in which the defense (*advokaty*) freely vied with state prosecutors for juries' votes (which, among other marvels, resulted in the verdict of not guilty for the female assassin of the head of the Russian secret police); huge increases in the number of primary schools, funded and run by local authorities and open to children of all social and ethnic origins; access to higher education for women and Jews; and growing autonomy and self-government for universities.[1]

Enormous gains in personal freedom included the ability to leave the country and to return. Newspaper, magazine and book publishers were freed from prepublication censorship, placing late 19th-century Russian periodicals and books among the most raucously polemical in the world. The number of books printed and sold skyrocketed. Russian culture reached its apogee in the music of Mussorgsky, Rimsky-Korsakov and Tchaikovsky; the books by Chekhov, Dostoevsky, Tolstoy and Turgenev; and the theater of Stanislavsky.

After the assassination of the czar-liberator Alexander II in 1881, the boundaries of self-government were tightened and liberties cut back, again, very much like the change that followed the transfer of power from Yeltsin to Putin. Still, major newspapers continued to be exempt from pre-publication censorship, intense political and social debates went on, and civil

[1] S. F. Platonov, *Uchebnik Russkoy istorii* ("A Textbook on Russian History") (St. Petersburg: Nauka, 1994), p. 371. (This is the second edition of the textbook published in 1909.)

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society would never again be terrorized by the state into complete subjugation.[2]

Meanwhile, Russian capitalism grew by leaps and bounds. Banks and saving-and-loan associations mushroomed. Foreign investments poured in. The economy expanded rapidly and became one of the world's fastest-growing. Cities burgeoned as former serfs became workers. Thousands of miles of railroads were laid, including the Trans-Siberian railroad, which for the first time connected European Russia to the Far East. Large capitalist farms made Russia Europe's main producer of grain.

The vulgar displays of wealth by the *nouveau riches* all but replaced the discreet enjoyment of power and privilege of the old nobility—just like the outrageously expensive boutiques, restaurants and gyms for the "new Russians" supplanted the secret food and clothing depots, drug stores and "cafeterias" savored by the Soviet *nomenklatura* amid the squalor and poverty of the USSR. Almost every day, thousands became the victims of crooked banking and stock schemes. Part and parcel of the Russian state for centuries, corruption (which everywhere attends a transition from a state-dominated economy to an early capitalist system) became brazen.

As is always the case after a revolution, exhaustion and disillusion set in. The liberals were bitterly disappointed in freedom's inability to deliver wealth quickly and equitably. Liberal ideals were badly damaged, and everyone doubted that Russia could ever become part of what the Russians then called "Europe" (what the Russians now call the "civilized world"). The old ethical canon, enforced by state repression, was gone; the new mores were shocking. There commenced a desperate search for something to replace them both. As Chekhov observed, "It is as though we were all in love, fell out of love and now are looking for something new to enchant us."

It is in relation to this search for "something new", as fateful in the Fandorin-Chekhov time as it is today, that the stunning popularity of Grigoriy Chkhartishvili's hero acquires an importance that extends far beyond the literary realm.

Intelligentsia Contra Individualism

THEN, AS NOW, the national tradition assigned the role of the seeker after the "new" to a class that has monopolized such endeavors since the 1830's, a class central to both the best and the worst chapters of Russian history. That class, of course, is the intelligentsia, and the singular significance of the Fandorin series is that it offers an alternative to both the means and, more important still, the ends of the intelligentsia political culture.

Much in that culture can be explained by the intelligentsia's origins. The emergence of secular education in Russia coincided with (indeed, was caused by) the expansion of the Russian state under Peter the Great to nearly totalitarian proportions. (Every nobleman was, at least *pro forma*, the czar's soldier.) Unlike western Europe, the spawning ground of the intelligentsia—the Russian university—was never independent and private. It was set up not by church or city but state. The professors were salaried state employees.

Educated by the state, the intelligentsia were overwhelmingly in the state's employ: in innumerable "committees", "commissions", "archives" or ministries. (Three of Russia's greatest poets—Griboedov, Pushkin and Tyutchev—served in the Ministry of Foreign Affairs). In Soviet times, one had state-owned "research institutes", as well the official

[2]See, for example, Donald Rayfield, *Anton Chekhov: A Life* (London: Flamingo/Harper-Collins, 1997), p. 111.

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"creative unions" of writers, composers, architects, artists and journalists. What Nabokov wrote of Nicholas I, who volunteered to be Pushkin's personal censor, held true for the general relationship between the Russian (and Soviet) state and the intelligentsia:

> With striking perseverance he tried to be everything in relation to Russian writers of the time—a father, a godfather, a nurse, a wet nurse, a prison warden and a literary critic all rolled up in one.[3]

Yet where the state is concerned, the intelligentsia's roots manifested themselves in bonds far stronger and deeper than education and employment. Although the alienation from and opposition to the state have been that class's defining features (the very term "intelligentsia" itself came into use in the reign of Alexander II amidst the withering criticism of the autocracy by the liberal press and the world's first sustained and ideologically motivated suicide bombing campaign by People's Will), the intelligentsia's ire and resistance were directed at a particular political regime, rather than at the state as the instrument of change and as the key tool of social, political and economic engineering. For most of the *intelligenty* most of the time, solutions to Russia's ills were state solutions: a total, systemic change directed from above. No national betterment was possible without the state's first becoming—at most in a few years and by the decrees of an enlightened ruler who listens to his intelligentsia advisers—entirely "European" or "civilized."

The appearance and appeal of such a perspective was aided and much enhanced by the absence of a Russian version of the Reformation, which in the West tied daily personal behavior—or, in the case of Calvinists and other Protestant fundamentalists, even business success or failure—directly to salvation.

An unsurpassed record of the intelligentsia's beliefs and *modi operandi* was produced by leading intellectuals—and Fandorin's contemporaries—in the 1909 collection of essays on the Russian intelligentsia titled *Vekhi* (Landmarks). Profound and beautifully written from the first page to the last, *Vekhi*'s philosophical, historical and political discourses are by far the most insightful, comprehensive and detailed portrait of the radical Russian intelligentsia's *Weltanschauung* ever compiled.

The *Vekhi* prescription was unambiguous and unsparing. The intelligentsia could reclaim moral leadership and guide Russia to "European" ("civilized") laws, liberty and prosperity only by recognizing the "individual's inner life as the sole creative force" and renouncing the ideology of "unconditional primacy of social forms." The authors beseeched their former comrades to "shift . . . the center of attention to oneself and one's own obligations", and free themselves from "the false state of mind of [being] the unsummoned savior of the world and the inevitable pride associated with it." The intelligentsia must undertake "inner work" for the sake of "renewal"; it must "embrace the absolute value of individual self-improvement."

Only such a thorough and painful reexamination of received dogmas would allow the intelligentsia to rid itself of the "desire to be assuaged in all instances with the cheap thought that 'it's the authorities' fault.'" Only if this "inner slavery" is expunged first and the intelligentsia learns to "take the responsibility [for our life] and stop blaming external forces for everything", only then "we shall be free of external repression":

> It is not worthy of thinking people to say: we

[3]Vladimir Nabokov, *Lectures on Russian Literature* (New York: Harcourt, Brace, Jovanovich, 1981), p. 3.

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are corrupted and will continue to be corrupted until the cause of our corruption is eliminated. Every man is obliged to say: I must not be corrupted any longer.[4]

If the intelligentsia continued to spurn self-examination and reject personal and quotidian responsibility for themselves, their families, their neighborhood and their country, *Vekhi* predicted a disaster. Eight years before the Bolshevik revolution; more than two decades before Hitler and Stalin consolidated power; four decades before the publication of Orwell's *Nineteen Eighty-Four*; ninety years before a new global totalitarian religion came of age on 9/11, Semyon Frank's *Vekhi* essay, "*Etika nigilizma*" ("The Ethics of Nihilism") must rank among most prophetic and piercing Jeremiads ever uttered:

> The great love for mankind of the future gives birth to a great hatred for people; the passion for organizing an earthly paradise becomes a passion for destruction; and the faithful populist-socialist becomes the *revolutionary*. . . . [The intelligentsia's] political activity has a goal not so much of bringing about some kind of objectively useful, in the worldly sense, reform, as of liquidating the enemies of the faith and forcibly converting the world. . . . Secular affairs and needs are . . . subject to execution according to a universal plan determined by metaphysical dogmas.

An Existential Refutation

CHKHARTISHVILI'S Fandorin is an existential refutation of the intelligentsia tradition of thought and action as described by *Vekhi*. Furthermore, his learned creator has placed the hero within a philosophical framework—existentialism—that is antithetical to the intelligentsia tradition and that *Vekhi*, yet again, has adumbrated so strikingly, both in the description of symptoms and of prescribed cures. In the *Koronatsiya* (Coronation) novel of the Fandorin cycle, the hero's credo, as told to another character, could have come from Sartre or Camus:

> Do you know, Afanasiy Stepanovich, what your mistake is? You believe that the world rests on some rules, that it contains meaning and order. And I have long understood: life is nothing more than chaos. It has no order at all, and no rules. Yes, I do have rules. But those are my own rules, which I made for myself, and not for the world. So let the world be on its own, and I will be on my own. To the extent that I can. Personal rules, Afanasiy Stepanovich, are not a desire to rearrange the universe, but an attempt to organize, the best one can, the space closest to you. Not beyond that.

As in today's Russia—warily enjoying a fragile economic and political stabilization after almost a decade of revolutionary turmoil—in Fandorin's times the old rules had been swept away. Opposition to the regime could no longer serve as the sole moral compass, and millions of men and women were attempting to devise and adhere to their own guides to worthy living. Like a true existentialist (and like millions of his compatriots today) Fandorin could count only on himself in deciding how to live an honorable and virtuous life.

Both in the privacy of his objectives ("organizing the space closest to you") and, even more, in the solitude of daily compliance with the self-invented and self-enforced rules of dignified existence, Fandorin's credo is the opposite of the intelligentsia's. As if heeding *Vekhi*'s call, Fandorin's first priority is not to change Russia, but to change himself—or rather

[4]Bogdan Kistyakovsky, "Defense of Law" in Boris Shragin and Albert Todd, eds., *Landmarks: A Collection of Essays on the Russian Intelligentsia* (New York: Karz Howard, 1977), p. 137.

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to change Russia by changing himself and helping others around him to change as well. He is not defined—and does not define himself—by his attitude toward the state, but by his attitude toward his countrymen, many of whom he guides and some of whom he saves. He does not look to the state either with hatred or hope.

Fandorin's virtues are private, not only because they are not advertised, in the intelligentsia's fashion, to all and sundry, but more importantly because their worth is not measured by the currently fashionable short-term objectives of the Russian state but by the long-term goals of Russia.

Fandorin's occupation is an ideal venue for a man of his convictions. In the tradition of Sherlock Holmes, Hercule Poirot and Lord Peter Wimsey, Fandorin is an individualist, fiercely guarding his independence.

This being Russia, he is not quite a "private" eye: employed by the Moscow police and later, as an "official for special assignments" (*chinovnik po osobym poruchenіyam*), by the Moscow governor general, he is more like Simenon's Commissaire Maigret.

Fandorin attempts to put into practice a radical—for Russia—idea first articulated by Chatskiy, the hero of Alexander Griboedov's classic 1820s play *Gore ot Uma* (translated as "Woe from Intelligence"): "To serve the cause, not the individuals" (*sluzhit delu, a ne litsam*) and to "serve" (*sluzhit'*) but not be "subservient" (*prisluzhivat'*). Often risking his life in carrying out his duties, Fandorin lets everyone know that he has assumed these tasks voluntarily. Occasionally, he threatens to resign and eventually does, walking away from a promotion to the head of the Moscow police. Disliked by a new Moscow governor-general appointed by the increasingly insular and incompetent court in St. Petersburg, Fandorin leaves Russia, works as a detective for hire in Europe and the United States, and returns to his country only to help solve crimes that pique his curiosity or to pursue criminals who had escaped him.

Seizing the opportunities offered by a new, freer Russia, Chkhartishvili's hero thus devises nothing short of an existential breakthrough—an alternative to the silent opposition to the regime and alienation from state-produced resignation, dour cynicism, sullen submission and shoddy work characteristic of the intelligentsia's way of life. By contrast, Fandorin acts as an honorable and free man: He offers the state his conscientious service until and unless his job contradicts his private moral code.

Chkhartishvili seems to have constructed his hero as a living antithesis to every negative stereotype of the Russian *intelligenty*. He is practical, pragmatic, attentive to detail, energetic, competent, physically fit and disciplined. (His hobby is constructing and testing a new means of transportation, the automobile, and he sets several distance records, including one from Moscow to Paris.)

Fandorin makes clear that he serves neither the chief of the Moscow police nor Moscow's mayor nor even, as the reader discovers in *Koronatsiya* ("Coronation"), the Czar himself. He serves his country. "I serve not you but Russia", Fandorin tells the head of the Russian police in *Turetskiy Gambit* ("The Turkish Gambit"). "And I will not participate in a war which is useless and even harmful to Russia."

Chkhartishvili sees his hero as an embodiment of something that "a national Russian character—for different political and historic reasons—has always lacked: honorable self-restraint, privacy and dignity." In *Smert' Akhillesa* ("The Death of Achilles"), a beloved general, a hero of the victorious campaign against the Ottoman Turks and a symbol of Russian military valor, is found murdered in highly compromising circumstances. The general's aide-de-camp implores

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Fandorin: "Promise that you will not use your detective talent to harm the motherland. Russia's honor is at stake!" Fandorin answers, "I promise that I will not do anything against my honor, and, I think, this should be enough." Not that Russia's honor did not matter to Fandorin, but to him the honor of the motherland equaled, and could not be more than, the sum total of its citizens' individual honors.

IN ASSESSING Fandorin's challenge to the intelligentsia tradition of political and social change, one cannot wish for a better witness than the writer whose name became an adjective virtually inseparable from the Russian intelligentsia. By coincidence or design, Fandorin's life and career unfolded alongside that of Chekhov.

The heart of Chekhov's discord with the intelligentsia was the same as that which animated *Vekhi*: he seemed to believe that the path to a happier life ran not so much (or even primarily) through external change but through the fashioning of one's own way of honorable living in the world and following it daily. "When you turn around your life, everything will change", Sasha tells Nadia Shumina in the novella *Nevesta* ("Bride"). "The most important thing is to turn around one's life, everything else is not important." Chekhov considered decent and productive life by individual men and women immeasurably more important for Russia's progress than the future idyll brought about by state reforms. In a letter, he wrote "I believe in individuals. I see [Russia's] salvation in individual persons."

With modernist self-consciousness suffusing Chkhartishvili's texts, it is hardly a coincidence that Fandorin's history, his habits and even his appearance seem to be modeled on Chekhov. Fandorin, like Chekhov, is sent into the world with no connections and no money and makes himself by an intense and successful deployment of willpower at the daily bettering of oneself. A son of a bankrupt shopkeeper from Taganrog who supported his family by writing stories between studying for medical school exams and attending hospital rounds, Chekhov knew firsthand the price of such effort: "incessant daily and nightly labor, constant reading . . . [and] willpower." In this work, Chekhov wrote, "every hour was precious" and was not to be wasted.

Fandorin's temperament, too, is unmistakably that of an Anton Chekhov: neither optimist nor pessimist, but a pragmatic skeptic wary of grandiose social projects and believing in a few self-made and self-policed rules of honorable living. Chkhartishvili's hero daily practices the four virtues that Chekhov seemed to consider Russia's only hope: decency, dignity, competence and hard work.

Fandorin loves his work, performs it brilliantly; he treats others according to their abilities and effort, not rank. Amid corruption, Fandorin repeatedly refuses bribes. Where rulers and ruled alike disregard laws, he is scrupulously law-abiding. Surrounded by vulgarity, he shows a refined taste.

Above all Fandorin valued individual liberty as much as did Chekhov. "There is nothing I love so much as personal freedom", Chekhov told his close friend and publisher Alexei Suvorin.

In an 1889 letter, which thus anticipated *Vekhi* by two decades, Chekhov makes clear (by his own and his father's life stories) that the freedom he so treasured was the product of a backbreaking and sustained *personal* effort to rid himself of qualities incompatible with those of the free man. His was a story of

> a young man, the son of a serf , a former shopkeeper, a chorister, a schoolboy and a university student, brought up on reverence for rank, on kissing priests' hands, on veneration of other people's thoughts, thankful for every crust of bread, flogged many times . . . who lied to God and people, lied without

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need, simply out of the realization of being a nobody . . . this young man is squeezing drop by drop the slave out of himself, and wakes up one fine morning and feels that it was real human blood flowing in his veins, not a slave's.[5]

A Hero for Contemporary Russia

FOR ALMOST two centuries Russian literature has anticipated and powerfully illuminated discontinuities and transformations in the nation's values and aspirations well ahead of its rulers, officials, social scientists and even its secret policemen. There are tantalizing hints in the phenomenal success of the Fandorin cycle as well.

Could millions of Russians have spent their hard-earned rubles to buy more than a clever plot, elegant style and engaging hero? Might not have they also found in the book's existential credo a usable guide to forging their way through the onrush of modernity and freedom of choice, to charting their lives amid the ruins of erstwhile moral, economic and political certainties?

Fandorin's ideals may be precisely what is required in Russia today, where personal efforts (what used to be called the "small deeds" in Chekhov's days) by millions are far more important than the feats of a few: work hard, be honest, do not take bribes, pay taxes, be creative, take risks, abide by laws and force others to do so. Most important, Fandorin's insistence on serving and assuming personal responsibility for his country is key to the emergence of a civil society, without which Russia will never become a liberal capitalist democracy.

Has Fandorin's goal of organizing the space closest to him been found consonant by the Russians responsible for the explosion of private charity, human rights groups, private funding for the arts, hundreds of new print and cyber media that spring up every year and thousands of voluntary associations? What might be called the privatization of Russian national goals is well underway. For the first time in Russian history, the very criteria of national greatness are concerned not with the glory and military might of the state but with the welfare of individual citizens. As Boris Yeltsin declared in a televised interview in mid-June 1997:

> A great power is not mountains of weapons and subjects with no rights. A great power is a self-reliant and talented people with initiative. In the foundation of our approach to the building of the Russian state . . . is the understanding that the country begins with each of us. And the sole measure of the greatness of our Motherland is the extent to which each citizen of Russia is free, healthy, educated and happy.

Might not, then, the success of the Chkhartishvili's books signal the beginning of a tectonic and, for Russia, a most benign shift from the intelligentsia—which for over two centuries were bound to the state by employment and belief in étatist approaches to social change—to a self-supporting middle class?

"Russia never had commercial literature for the middle classes—partly because it never had a middle class", Chkhartishvili told an interviewer. "We either had pulp fiction that intellectuals were embarrassed to read or high-brow literature."

Recalling Chekhov's squeezing-the-slave-out letter, Fandorin's inventor pointed out in a recent interview that ridding oneself of inner slavery was the most important result of the revolution. "We have squeezed out a lot", Chkhartishvili said. "In the past ten or 15 years, people

[5]Chekhov, "Letter to A.S. Suvorin, 7 January 1889", in *Sobranie sochineniy v dvenadzati tomakh* ("Collected Works in Twelve Volumes") (Moscow: Khudozhestvennaya literature, 1963), v. 11, pp. 317–8.

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living in this country have straightened their backs." For him, the "most precious product of this evolution" is dignity: a quality that had been "in a catastrophically short supply" throughout Russian history (he has identified its scarcity as Russia's "main problem") but is inbred in the post-Soviet generation. "These are people", Chkhartishvili says of his readers, "with an absolutely new mentality, who are used to relying on themselves, not on the government. These are people thinking big of themselves."

Suddenly, Fandorins are everywhere in Russia. The nation that for ages has told itself that it was lazy and unlucky and incapable of getting anything done right has become, among many 25 to 45 year-olds, a country of perfectionist workaholics and seekers after quality in work and life: the accountant, the software developer, the lawyer, the shop owner, the doctors in private practice, the tailor, the political consultant, the journalist, the clothes designer, the real estate agent, the restaurateur, the owner of the local newspaper or television station.

According to public opinion polls, the "main interests" of the post-Soviet middle class are family and work, while income is third and is looked at not as a main goal but a "consequence" of good work performance. They are *trudogoliki*, literally "laborholics", and an overwhelming majority believe that the betterment of their life depends on them, not the boss and not the authorities of all levels. A few years ago a 38 year-old entrepreneur, a regional distributor of medical supplies in the city of Voronezh, told an American reporter:

> I don't know who will be leading Russia in a year's time. But in this little place of Russia, I know what we will do. We will improve services. We will hire new people, we will improve salaries. These are our plans, and most of them are realistic. We will do what we can in our own house.[6]

According to the polls conducted since 1990 every four years by the Center for the Study of Social and Cultural Changes of the Institute of Philosophy of the Russian Academy of Sciences, between 1990 and 2002 the share of Russian citizens who say that they rely on themselves and not the state has grown from 43 percent to 78 percent. The share of those who preferred work for privately owned businesses (and not in the state sector) has increased from 20 percent to 85 percent. Despite the hardships, disappointments and dislocation of the last twelve years, pluralities or majorities continued to support liberty, independence and private initiative. Liberty, in particular, has been among the most consistently supported values of the past ten years. When asked to choose between "democracy that guarantees freedom and strict state control that guarantees security", 50 percent opted for the former and 30 percent for the latter.

May we, years or decades from now, look back at the popularity of the Fandorin cycle as a signal that, in choosing between the "intelligentsia tradition"—of solemn dreams and sordid reality, of relentless étatism, all-or-nothing politics, shoddy work and sterile castigation of all but themselves for everything that is wrong with the country—and the Chekhov-*Vekhi*-Fandorin liberal vision of progress founded on self-improvement, personal responsibility, gradualism, patience and quotidian hard work, post-Soviet Russia has given the latter at least a sporting chance? □

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[6] "Small Entrepreneurs Tired of Russian Politicians", *New York Times*, December 16, 1999.

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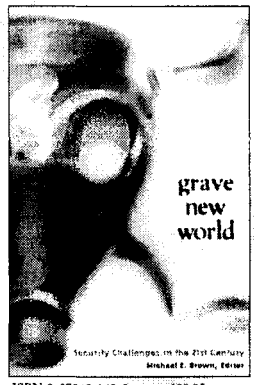

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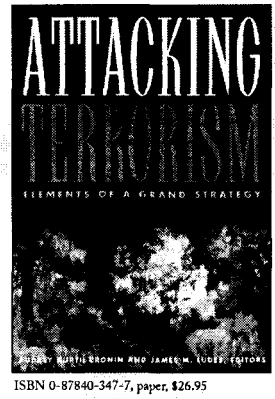

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Tracking Terror Through Africa

Mugabe, Qaddafi and Al-Qaeda

R.W. Johnson

ON AUGUST 7, 1998, Al-Qaeda suicide bombers attacked the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, killing at least 258 people and injuring more than 5,000 others. President Clinton's response—lobbing a few (mis-directed) cruise missiles at suspected Al-Qaeda installations in Afghanistan and Sudan—was clearly viewed by Osama bin Laden as a mere slap on the wrist. What the attacks had shown was that a few suicide bombers using everyday means of transport as a delivery mechanism could achieve complete surprise and inflict thousands of casualties on two or more targets at once by carefully coordinated action. With this, Al-Qaeda had found the weapon for which it had been searching—and which it was to use again with even greater effect on September 11, 2001.

On August 25, 1998, just 18 days later, a pipe bomb exploded in the Cape Town Planet Hollywood, killing one and wounding 27. The local police concluded that—because the target had sounded American and because a pipe bomb had been used—this was probably the work of PAGAD (People Against Gangsterism And Drugs), an Islamic fundamentalist vigilante movement based in Cape Town's Coloured community, which includes half a million Muslims. This was simply because PAGAD was in the habit of using pipe bombs. No suspect was ever apprehended, despite the fact that the African National Congress (ANC) Minister for Safety and Security, Sydney Mufamadi, had announced that an arrest was expected at any moment. Later Mufamadi changed tack, seeming almost to blame the United States for the bomb, suggesting that it was a predictable reprisal for the cruise missile attack on Sudan.

The FBI, acting together with U.S. military units stationed in Kenya, was more successful, quickly arresting three suspects for the embassy bombings: Mohamed Saddeck Odeh, Rashed Daoud Al-Ouhali and Wali al-Hage. The latter, caught in an unnamed African country in September 1998, had earlier served as personal secretary to Bin Laden. All three were flown to the United States and held there, where they confessed that the kingpin of the operation, Haroun Fazil, had rented a villa outside Nairobi from May to August 1998, where the bomb had been constructed. Fazil, though only 26, had been trained in Afghanistan; was a computer and explosives expert; spoke Swahili, English, French and Arabic; and was suspected of also having masterminded the Dar es Salaam bombing. On August 7, he had guided the white explosives-laden lorry and was driven by his operatives to the U.S. embassy. Straight after the bombing, he had taken a flight to his native Comoros Islands.

The FBI swarmed all over East Africa in the wake of the bombings. Guided by infor-

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mation they had doubtless extracted from the three embassy bombing suspects, they searched a Nairobi hotel and found a record of a phone call made from one of its rooms to the Comoros. On August 20, they asked the help of the Comoros government in tracing the call. Fazil, clearly tipped off, fled to Dubai just as the FBI arrived in the Comoros—where they found incriminating CDs in his family home. His relatives were grilled and admitted that Fazil had told them he had done "military service" in the Sudan. A check of airline records showed that in 1997 Fazil had repeatedly paid cash for air tickets to Khartoum, Karachi and Nairobi. Now, having gotten to Dubai just ahead of the FBI, he vanished.

This event drew attention to the existence of a Muslim network running down the east coast of Africa, from the Persian Gulf to Cape Town. It raised the possibility that there were sufficient Al-Qaeda sympathizers within the Muslim community to strike at will. South Africa itself has many attractions for Muslim terrorists: Durban, after all, is home to Africa's richest Muslim community (there I found without difficulty a street vendor selling Bin Laden T-shirts), and the town's International Islamic Center was built thanks mainly to a personal donation by Bin Laden. Indeed, it is often forgotten that the whole row over Salman Rushdie's *The Satanic Verses*, and the resulting *fatwa* against him, originated in Durban. As important, large sums of money can move easily through the Durban Indian community to Mauritius, Nairobi or Cape Town—and, indeed, to its overseas branches in London, Toronto and Sydney. South Africa is, in any case, one of the world capitals of money laundering. One way or another, within that network one can find enough Al-Qaeda sympathizers, enough money and enough ways of making sure the two remain connected to make this region a major front in the terrorist war.

This in turn leads one to consider the situation of Zimbabwe which, under Robert Mugabe's terror, has deteriorated rapidly from being one of Africa's most developed states to a failed state of near-Somalian proportions. Prior to that, one would hardly have considered it as a possible base for Islamic terrorists—the country's Muslim population is both small and moderate: when the Bulawayo synagogue was restored in 2003 after it had burnt down in an accidental fire, the imam of the local mosque participated in the synagogue's re-dedication ceremony as a gesture of goodwill towards Zimbabwe's exiguous Jewish community. At the same time, during the innumerable trips I have made to Zimbabwe in the last few years, the subject of Islamic terrorism has begun to crop up.

Mugabe and Islamism

MUGABE'S failed state has created a major opportunity for Islamic terrorism throughout southern Africa. Mugabe is already both violently at odds with all the West (and thus has little to lose by annoying it more) and quite desperate to get his hands on foreign exchange by any available means. Is it possible that, under these straitened circumstances, he had begun to sup with the devil? One advantage consequent upon the decay of Mugabe's state, I discovered as I started to delve into the matter, was that some members of Mugabe's secret police, the Central Intelligence Organization (CIO), were feeling sufficiently disaffected to talk frankly, though of course anonymously, about the subject. What I have discovered could transform the perception of the Mugabe regime from being merely a parochial racist tyranny to being a safe harbor for Islamist terrorists in a global struggle.

Mugabe's relationship with radical Islam goes back to 1978 when Libya's President Muammar Qaddafi provided arms and training for his ZANLA guerrillas in Mozambique and, after Zimbabwean independence, trained 700 policemen for the new government. Mugabe was, however, well aware that Libya's sponsorship of various terrorist groups made friendship

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with Qaddafi extremely unwise, and he kept relations formal and distant. This remained the case even after the Reagan Administration's 1986 air strikes against Libya. Qaddafi, whose adopted daughter was killed in the raid and who narrowly escaped with his own life, was badly shaken and arrived at the Non-Aligned Movement (NAM) summit in Harare a few months later thirsting for revenge. He tried to enlist Mugabe and the NAM in an anti-American crusade. Mugabe, hosting the summit, was carefully unreceptive, and Qaddafi stormed out in a huff.

Relations between the two men remained cool until 1999. I managed to find a CIO officer, a man I shall call John, who had followed the relationship from his desk in Harare. John was furious with the way Zimbabwe was being progressively mortgaged to the Libyans in order to pay for oil. He was motivated to speak by feelings of patriotism, he told me. And as there are not many such folk left in Zimbabwe, I lent a skeptical ear. But what he said made sense.

Mugabe's failed state has created a major opportunity for Islamic terrorism throughout southern Africa.

John argued that Mugabe's rupture of relations with the IMF and World Bank had left the country in a financial crisis, certainly, but what had really changed things, he said, was the appearance of the opposition Movement for Democratic Change (MDC)—the first substantial challenge to Mugabe's power. When the MDC easily defeated Mugabe in the February 2000 constitutional referendum, the writing was on the wall. Mugabe quickly approached Qaddafi to ask for help with oil supplies and foreign exchange. With his regime now increasingly under threat and isolated on the world stage, Mugabe needed help wherever he could find it. Qaddafi responded positively, and the relationship between the two leaders became increasingly warm and close. The Libyans demanded in return investment opportunities in Zimbabwe, and both their stock of assets and the number of their personnel there began to increase rapidly. Libyan MIGs and transport planes were stationed inside Zimbabwe. Qaddafi came to Harare to attend the OAU summit while Mugabe made repeated visits to Libya. And more generally, Mugabe became increasingly sensitive to the currents and wishes of the Muslim world, particularly since the Mahathir regime in Malaysia remained one of his few other friends.

THANKS TO AN introduction from John, I managed to make contact with a high-ranking CIO officer who had served much of his career in Islamic countries, including Libya. Since anyone writing for the Western press was by this time unwelcome in Zimbabwe, my own presence in Harare was a somewhat delicate matter, while the CIO officer in question—he told me his name was Walter but doubtless it wasn't—could hardly risk being seen talking to me. I had watched the Minister of Information, Jonathan Moyo, the Goebbels of the regime, denounce me on television and say more than once that I was not welcome in the country. As far as I could see, Moyo did not realize I was already there, but the point was clear enough. I had, moreover, been condemned in no uncertain terms in the state-owned *Zimbabwe Herald* and physically threatened by war vets, so that one way or another, my welcome seemed to be wearing out. Accordingly, we met via complex intermediation and at night. I drove to a friend's who then guided me through the Harare suburbs to a place where a second car was parked, which in turn then led me through a further zigzag course, which ended up with both of us driving by moonlight with our headlamps switched off so as to attract as little attention as possible. The car stopped ahead of me at a house, and the driver—to me a mere silhouette, with whom I exchanged not a word—gestured that I should go in there and then drove away. Inside the otherwise empty house I found Walter.

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Walter told me that he had not been long in the Middle East before he had realized that Qaddafi's links with terrorism had not ceased after 1986 but had, perforce, merely become more discreet. Qaddafi, still animated by a desire for revenge against America, maintained contact with and sometimes funded a variety of Islamic terrorist groups but tried simultaneously to ensure that the United States would have no excuse to repeat the 1986 raid. "I was surprised", Walter said, that "Libya was still far more active in training and assistance to terrorist groups than was commonly realized. They sometimes trained such organizations in third countries such as Egypt and Yemen in order not to attract further U.S. attention towards Libya itself." He continued: "Most of the core Taliban fighters were Libyan trained, you know. Libya also gave a lot of support and training to the fundamentalist FIS (the Islamic Salvation Front) in Algeria, and Algeria was sometimes used as an external training ground by Libyan instructors, for example in the training of Hamas, most of whose operatives are Libyan-trained. Hamas has very close links to Libya."

He mentioned as a key Libyan contact a terrorist leader who had accidentally blown himself up in Yemen in February 2002—"if they'd captured that guy they would have found out a whole big story tracing things back to Libya." Lebanese and Iraqi groups had also benefited from Libyan training, as had the PLO, he said. "From what I've seen, the Libyans are the best in the world at terrorist techniques."

But what about Al-Qaeda itself, I asked? Well, naturally Qaddafi maintained links with Al-Qaeda as well, Walter averred, but he had never come close to exercising the quasi-control over it that he did over some terrorist groups simply through the weight of his patronage. But any Middle Eastern terrorist group which needed help would be likely to beat a path to Qaddafi's door. This was how it came about in September 2000 that Qaddafi asked Mugabe to receive an Al-Qaeda contact, Ayman Zawahiri, Osama bin Laden's Egyptian deputy. "In a way there'd been a dry run", Walter said. "Mugabe already had close relations with Yasir Arafat and when Arafat visited Mugabe in 1998, he brought with him six Lebanese members of Islamic Jihad. These guys were all men wanted by the Israelis but they stayed on in Harare for two weeks after Arafat left before exiting via Zambia to Libya"—a fact later confirmed to me by another ex-CIO operative. "Qaddafi learned all about this from Arafat—the two men are close—and clearly realized that Mugabe might be willing to host wanted Arab terrorists."

Al-Qaeda in Zimbabwe

AYMAN Mohammed Rabie al-Zawahiri is one of the world's most wanted men—even at that stage he had been indicted in U.S. courts for his role in the East African bombings. He is also wanted in his native Egypt for the November 1995 suicide bombing of the Egyptian embassy in Islamabad and was sentenced to death by the Egyptian military for the multiple activities of his Al-Jihad group, including the assassination of Anwar Sadat in 1981. A former pediatrician, Zawahiri is regarded as the brains of Al-Qaeda—he is known as "The Doctor" or "The Teacher", as befits a man who has been a fundamentalist militant since 1966. Fully one-third of Al-Qaeda's fighters come from his Al-Jihad movement, including Mohammed Atta, the man who flew the first airliner into the Twin Towers.

But why should Qaddafi want to introduce Zawahiri to Mugabe? "We surmised that what had happened was that Osama had sent Zawahiri to Qaddafi to ask for his help", said Walter. "At the time, of course, we were in the dark but after the September 11 attack, everything suddenly made sense. You see, this was exactly a year before 9/11, and Al-Qaeda must have been planning that event well over a year ahead. They must

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have known that one of the things they needed most were safe bases far from the action. Qaddafi could hardly provide anyone with that—he would be an immediate suspect and anyway was eager to keep the Americans off his back. But Zimbabwe would have occurred to him right away—by then he was very close to Mugabe—and because we're not a Muslim country no one would suspect us."

The logic was indeed obvious. From Al-Qaeda's point of view, Zimbabwe would have had many advantages. Once an atrocity on the scale of September 11 took place, the United States would clearly scan the Muslim world for possible Al-Qaeda hideouts. Sudan and Afghanistan were clearly already potential targets, as were Somalia, Yemen and, after the bombing of the U.S. embassies in East Africa, so were any African countries with large Muslim populations. But Zimbabwe? No chance. And the country also had, as most African countries do not, the modern communications and banking facilities Al-Qaeda needed. It was also conveniently close to Nairobi, Durban and Cape Town—the three centers where Bin Laden already had links. In addition, Walter said, there were small Afghan communities in both Cape Town and Port Elizabeth (they had come there originally as seamen) and there was a lively trade between them and a small number of Bolivians in both places. Hashish from the Khyber Pass was brought through Cape Town and traded for cocaine from the Bolivians. These networks were also useful for smuggling personnel or equipment, or laundering money.

According to Walter, Zawahiri spent four or five days in Zimbabwe and met with Mugabe, Vice President Simon Muzenda, the late Defense Minister Moven Mahachi, Sydney Sekeremai, the minister in charge of the CIO, and other top ranking officials. He offered large sums of money to Mugabe personally. His instructions from Bin Laden were to acquire an Al-Qaeda base in Zimbabwe where, far from the scene of the crime, it could train its militants and plan its military strikes.

Walter knew nothing of the outcome of Zawahiri's negotiations with Mugabe, though he knew that they went on for days, and Walter thought it improbable that Mugabe would have turned down a gift in hard currency. The Al-Qaeda strikes against the U.S. embassies in East Africa could not have left Mugabe in any doubt as to what he was dealing with, nor that he was risking extreme U.S. displeasure—particularly since it must have been obvious that Al-Qaeda was planning further large-scale strikes against U.S. targets. Later, Walter added, Zawahiri returned a second time to Zimbabwe, this time staying for two weeks, but he knew little more. However, this return visit and Zawahiri's quick fade into invisibility are perfectly consistent with what one would expect if, as Walter was inclined to believe, Al-Qaeda had then proceeded to construct some sort of safe-house in Zimbabwe. Walter recounted all this to me while gripping the arms of his chair tightly and was clearly nervous at every extra minute he spent in my presence. As soon as he'd finished he slipped away into the night—as did I, after waiting the ten minutes he requested.

IN CONSIDERING this information, it is important to remember that from 2000 on, with his position now clearly under tremendous threat, Mugabe's relationship with Qaddafi became of central importance to him—while for Qaddafi, Mugabe's collapse into almost complete reliance on him presented a heaven-sent opportunity to extend his influence in Africa and acquire a commanding position within the new African Union. Mugabe had already begun to explore plans for exile in Namibia, whose president, Sam Nujoma, is his passionate admirer and follower. Mugabe's nephew, ironically christened Innocent and, conveniently, a high-ranking CIO officer himself, was instructed to take up an under-

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cover job in the Zimbabwean High Commission in Windhoek, Namibia, where he was told to buy a suitably large and secure house for his uncle. However, Innocent was almost immediately killed in a car crash, so while plans went ahead for Mugabe's purchase of a large cattle ranch in Namibia, the Windhoek house project was put on hold.

Qaddafi, hearing of this mishap, offered to build a house in Libya instead, where Mugabe could live in secure exile. Mugabe determined to look into this new offer seriously, and accordingly, together with his young wife, Grace, flew to Tripoli, spending ten days as Qaddafi's guest and receiving a large gift of money from him. Not long after came another seven-day trip there.

Mugabe was clearly overwhelmed by the generosity of the Libyan dictator—who gave him such gifts as a new armored stretch limo and several 4X4 vehicles—and increasingly took on Qaddafi's lifestyle himself, using his doctors and even getting Qaddafi's interior decorators and landscape gardeners to come out to Harare to redesign his house and garden in the approved Qaddafi style. By this stage Qaddafi was not only supplying Zimbabwe with its oil but had become a major investor there. The Libyan dictator was keen to set up Quranic schools in Zimbabwe and propagate Islam—but was also not content with a minority share in Noczim, Zimbabwe's state-owned oil company. Qaddafi wanted to take it over completely. Significant numbers of Libyans moved into Zimbabwe to manage these assets and to provide intelligence and military backup for Mugabe.

Qaddafi seemed to have remained close enough to Al-Qaeda to have a pretty good idea that a major blow was about to be struck on 9/11.

Heading the Libyan team was Mustapha Khaled, known as Hossan, who arrived shortly after Zawahiri's visit in September 2000. Hossan stayed two months at the Meikles Hotel in central Harare before relocating to the farms Libya had acquired in the Zanu-PF heartland of Mashonaland Central. As more Libyans arrived, they moved straight to these farms. Conscious of the growing significance of the Libyans, next time I was in Harare I managed to contact Arthur, a somewhat shadowy figure who had, he told me, left the CIO a year previously in order to join the opposition MDC—while maintaining sufficient contact with friends in the CIO to know what was going on. This somewhat equivocal position meant one not only had to go through various cloak-and-dagger contortions to meet Arthur, but it was safest to assume that he might be trading information back with the CIO. The thing about Arthur was that he kept a particularly close eye on whatever the Libyans were up to. I finally met him in a parking lot overgrown with weeds outside a bedraggled shopping center with many of the shops boarded up, a commonplace sight in today's Zimbabwe.

I asked Arthur about Hossan. "He's one of the most powerful men in Zimbabwe", he averred. "While he was staying at Meikles Hotel I stole his cell phone and checked the numbers on it: Hossan had on it all the private cell phone numbers of the whole government, including Mugabe himself. You must realize how rare that is."

Arthur had replaced the cell phone so that Hossan had never realized it was gone. "Hossan's team knows all about rough stuff. They've been providing the key training for the Green Bombers (Mugabe's youth militia)—in fact they're the ones who gave them their green "Third Chimurenga" T-shirts. They were also the source of the drugs needed to make those kids sufficiently aggressive to beat and torture people they might have regarded as friends only weeks before." This, I later discovered, was veterinary PCP, a heroin derivative—more commonly known

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as Angel Dust. But at that point in our talk, three other black Zimbabweans hove into view, much to Arthur's discomfort, and he made a point of greeting them elaborately and would not acknowledge me again while they remained in sight.

"The Libyans stayed close to Mugabe throughout his presidential re-election campaign [in April 2002] and were clearly under orders from Qaddafi to look after him", Arthur continued. "A big delegation—including two of Qaddafi's General People's Congress central committee members—attended Mugabe's final rally in Bulawayo. Hossan's team had orders to remain with Mugabe through the election aftermath and, should there have been enough serious trouble for it to be advisable for Mugabe to leave, they were to fly him away to Libya. Mugabe told them that in that case he would need two weeks to destroy incriminating files and other evidence in Harare."

Arthur also reminded me that when Qaddafi had passed through Harare *en route* to the African Union meeting in Durban, he had lectured the local Muslim Asian community on the need for them to be more militant and had even threatened to have PAGAD strong-arm men sent up from Cape Town to knock them into line if necessary. This confirmed what I had learned from other sources about a possible link between Qaddafi and PAGAD.

Arthur had reminded me to recall that almost on the eve of 9/11, Mugabe had been Qaddafi's guest in Tripoli for the 32nd anniversary of Libya's "national revolution." This stirred distant memories of reading Qaddafi's speech in the *Herald* on that occasion, so I set off to try to track that down. It was distinctly unsafe for me to go into the *Herald* building—Jonathan Moyo's hangout and the sort of place where I might well meet the Zanu-PF war vets who had tried to beat me up on my last visit to Zanu-PF headquarters—but there was nothing for it. It took me the best part of a day to overcome the endless bureaucratic and other difficulties in getting back copies of the *Herald* but I finally found what I wanted.

SATURDAY, September 1, 2001, had indeed found Mugabe in Tripoli once more as Qaddafi's guest. Qaddafi called on his assembled African allies—Sudan's President Moar Bashir, Chad's President Idriss Deby and Benin's General Mathieu Kerekou—"to support the hero, President Mugabe, since Zimbabwe is a strategic country." But Qaddafi seemed to have remained close enough to Al-Qaeda to have a pretty good idea that a major blow was about to be struck against the Americans—this was just ten days before 9/11—for he openly boasted of Bin Laden's prowess and mocked the United States for failing to catch him after the East Africa embassy bombings:

> We no longer wage war with the old weapons. Now they can fight you with electrons and viruses. The crazy world powers that have invested huge amounts of money in weapons of mass destruction have found themselves unable to fight the new strain of rebellion. As a simple example, the U.S.A. is unable to fight someone called Osama bin Laden. He is a tiny man, weighing no more than 50 kg. He has only a Kalashnikov rifle in his hands. He doesn't even wear a military uniform. He wears a jalabiyah and turban and lives in a cavern, eating stale bread. He has driven the U.S.A. crazy, more than the former Soviet Union did. Can you imagine that?

This whole passage—quoted approvingly in the *Herald*—suggests strongly that Qaddafi had been in recent contact with Bin Laden, was aware of his living conditions in the caves of Afghanistan and also knew that some fiendish new strike, employing unconventional weapons, was about to hit the United States. It seems quite possible that Qaddafi imparted what he knew to Mugabe, for he must have realized that any such strike would have major implications for anyone who had been

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lending assistance to the likes of Zawahiri.

When the September 11 strike took place, Qaddafi quickly distanced himself from it as publicly as he could, clearly fearing U.S. reprisals. Mugabe himself said nothing—but within the CIO in Harare there was panic. "Those of us who knew about the contacts with Zawahiri were scared stiff", Walter had told me. "We thought this might be the end of everything. We had visions of B-52s over Harare. One thing I can tell you is that that whole style of suicide bombing bears the Libyan hallmark. They are the modern masters of kamikaze warfare and they have taught those who practice it all they know. None of us who spent much time in Libya had much doubt that Qaddafi's hand was present in the September 11 events."

The printing of Qaddafi's September 1 speech in the *Herald* had caught the eye of several MDC members, including a white farmer I knew from other contacts. "When September 11 occurred, I went back and looked at it again", he told me. "We began to wonder who represented Afghanistan in Harare." I had wondered about that myself and had driven round to where the old phone book said the embassy had been. It was empty, and no one in the Spanish embassy next door could remember when it had last been open. In the end, I discovered that the ex-ambassador, Mohammed Sahi Daneshjo, still lived in Harare. But the embassy had been closed in 1992, four years before the Taliban had come to power in Kabul. "We checked all that out too", said my white farmer friend. "But then we noticed an Afghan we call Mr. Moosa who clearly had far more clout." Moosa, who was in the motor trade, had got into a trifling dispute with a florist near his premises over parking spaces. Amazingly, the CIO immediately materialized and warned off the florist in no uncertain terms. Mr. Moosa was, they said, a very important person and under the government's protection. The same happened when some of Moosa's workers complained they had not been paid and threatened a strike. Again the CIO arrived in force to warn the workers that they had better not dream of upsetting a person enjoying President Mugabe's protection. "Quite clearly", my farmer friend told me, "Moosa has the ability to pick up the phone to the presidency or the CIO and make things happen double-quick. So we managed to get through to one of the very top people in the Ministry of Foreign Affairs and ask him what was so special about Moosa. He confirmed that Moosa was a special case and that 'we're looking after him.' For us that was virtual confirmation that he was effectively the Taliban ambassador, perhaps even the Al-Qaeda ambassador. He clearly has a hotline to Mugabe which in turn means they have some on-going deal."

"Those of us who knew about the contacts with Zawahiri were scared stiff. We had visions of B-52s over Harare."

My farmer friend had organized a few fellow MDC members to take a quiet look into Moosa's affairs. His business was situated on an industrial estate on the outskirts of Harare but whenever anyone went there to buy anything from him they were always told that that item was not in stock. "We concluded it was a front company, providing a phone, fax, e-mail, a bank account and able to take delivery of containers. After a while we concluded that that was the real Taliban embassy here. They obviously wouldn't have wanted to have one openly", my farmer friend concluded.

One of the MDC activists deputed to watch Moosa was Richard, a keen body builder who works out every morning in a gym called the Muscle Factory in the Greendale neighborhood of Harare. In early September 2001, Richard noticed that Moosa and two Afghan companions had begun to frequent the same gym. Using contacts within the MDC, I got in touch with Richard—a hugely muscled youngish man,

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his vast arms bulging jet black out of a tight white T-shirt. On September 12, the day after the attack on the twin towers, Richard walked across the gym to where Moosa's party were exercising and asked them what they thought of the previous day's events. "They were vehemently anti-American and clearly pro-Taliban", he told me. "They said the Americans had got exactly what they deserved. They seemed to be bursting with a mixture of elation and bitterness. To be frank, I think they blurted out more than they meant to because they disappeared from the gym for a few days after that."

Richard continued. "Then in the week following they reappeared, this time with eight other Afghans. These guys looked tired, as if they'd been traveling, which I guess they had. One of them was wearing a Tamil Tiger T-shirt. My immediate guess was that these were escaping Taliban or Al-Qaeda fighters. I've had military training myself, and these men were fighters. If you're a fighter you've got to stay fit, even if you're stressed and traveling. That's why I think they were at the gym. They only came that once and then disappeared."

At this I went back to Arthur, who put out feelers among his former colleagues in the CIO. One of them, he confirmed to me a few days later, had told him that in mid-September, he had been asked to produce ten false passports for the same number of Libyans. These were delivered on September 20. When I queried whether the recipients were genuinely Libyans, it became clear that he could not vouch for this. All he had been told was that they had been traveling on Libyan passports—not very convenient travel documents in a post-September 11 world—and needed passports which would make their travel easier. It is obviously possible that the ten people concerned were simply of Middle Eastern or Afghan provenance and that the CIO officer concerned was told they were Libyan simply because that is the main Arab country with which Zimbabwe is currently involved. The possible tie-up between these ten passports and the eleven men seen by Richard at the gym hardly needs emphasis, particularly since Richard must have seen them in the week of September 12–19. The inference is that when he saw them, they were waiting for these new (false) passports to be delivered. Arthur said his former colleague had had the impression that the passports were for fairly immediate use.

If correct, this means that Mugabe had not agreed to provide full-blown bases for Al-Qaeda but merely transit and laundering facilities. That is to say, the ten men may have arrived on Libyan passports with their identities already penetrated or clearly vulnerable. By providing them with new passports, and thus new identities, Zimbabwe would ensure that the trail was broken and that once they left Zimbabwe they would be invisible. Arthur thought it possible that they might have gone to a neighboring country such as Zambia, Mozambique or the Congo, in all of which possibilities exist to live in remote locations far from the knowledge of the host governments.

More Damning Evidence

SUCH WAS THE picture I had put together by early 2002. In the nature of things it was hardly conclusive, depending as it did on so many shadowy sources in or close to the CIO. But in the period which has since elapsed, several other items of information have come my way, rounding out the picture somewhat.

The first of these came from a contact inside the organization of John Bredenkamp, the hugely wealthy white businessman and arms dealer who is close to Mugabe. Members of the Bredenkamp organization are in constant touch with Mugabe's office and the top echelons of his ruling Zanu-PF party, but in mid-January 2002 they discovered that they couldn't reach any of these contacts because they were all closeted with "the Iranian delegation." The interesting thing about this visit was its secrecy.

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Normally any foreign visitor to Harare is trumpeted as a major diplomatic triumph for Mugabe, but neither the *Herald* nor ZBC made any mention of the visit, and normally well-informed sources, including intelligence sources, knew nothing of it.

There is, of course, no evidence that this meeting had any connection with terrorism, but one has to wonder. Doubtless, Mugabe would have an interest in procuring oil and financial support from Tehran—but what could it have wanted back from him which could only be discussed in such extreme secrecy?

Another avenue of enquiry was the involvement of Mugabe and the top Zanu-PF elite in the Democratic Republic of Congo (DRC), where Zimbabwean military involvement gave them control over several diamond mines, including a joint venture with Al Shanfari's Oryx Group in the Senga Senga mine. According to a confidential study prepared by Kroll Associates in 2002,

> Al Shanfari and Oryx launder diamonds for several Lebanese traders linked to Al-Qaeda, including Ibrahim Bah. Diamonds are procured from Bah and other Islamist Lebanese intermediaries in Kinshasa and then flown to the Senga Senga mine at Mbuji Mayi where the diamonds are mixed with diamonds procured in the region.

Thus here too there was a direct—and profitable—relationship between Mugabe and Al-Qaeda, providing, incidentally, a route through which payment for other services could also be made.

In fact, Al-Qaeda involvement with blood diamonds seems to go back some way. According to several long and careful articles in the *Washington Post* from November 2001 on, clearly reflecting information from within the U.S. intelligence community, Al-Qaeda had been involved in blood diamonds in both Sierra Leone and the DRC since the mid-1990s. Two Al-Qaeda operatives specifically named by the *Post* on November 3, 2001, in this regard were Ahmed Khalfan Ghailani and Fazul Abdullah Mohamed. Ghailani, a Tanzanian, was also the man who bought the truck used in the truck-bombing of the U.S. embassy in Dar es Salaam in 1998, while Fazul turns out to be one of the many aliases used by Haroun Fazil, still wanted as the alleged mastermind behind both of the East African embassy bombings.

THUS IT emerges that both the key architects of the East African embassy bombings emerged from an Al-Qaeda network active in southern Africa for some years before that, one which will have had many points of contact with the ruling Zimbabwean elite. This throws a new light on Zawahiri's alleged visits to Zimbabwe prior to 9/11—he was clearly traveling to an area in which he already had operatives and at least a rudimentary infrastructure. This would certainly have increased the likelihood that Al-Qaeda would have wanted to use Zimbabwe for the transit-and-laundering role we have seen. (Later a group of South African mercenaries tried to sell me a photo of Mugabe's right-hand man, Emmerson Mnangagwa, shaking hands as he boarded a helicopter with a man they identified as an Al-Qaeda operative at a Congo diamond mine—with child laborers clearly visible all around. I declined to buy but the images linger.)

Another straw in the wind was the revelation that closed circuit television cameras within the Planet Hollywood restaurant in Cape Town had recorded the image of a known Al-Qaeda suspect lolling against the restaurant's bar a month before the blast there. The South African authorities, who identified the man as a Moroccan based in Zimbabwe, refused to accept the images as having any significance, saying that there was nothing to connect the man's presence a whole month before the bombing with later events. It is tempting to link this attitude with the rapid and simultaneous *volte face* of the South African government on the issue of 9/11. By January 2002,

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overwhelming pressure had been brought to bear on ex-President Mandela by the ruling ANC publicly to recant his previous condemnation of Bin Laden and support for U.S. action, while Deputy President Zuma announced that the ANC government no longer saw 9/11 as a terrorist act but as a blow in a wider struggle against imperialism. Zuma simultaneously denounced Britain and America for their war on the Taliban which, he said, was aimed "against innocent Afghan civilians." Given President Mbeki's support for President Mugabe, it is possible that the South African authorities were not keen to see a line of enquiry opened up which led back to the presence of Al-Qaeda activists in Zimbabwe.

Meanwhile, joint U.S.-Kenyan activity continued to track down Al-Qaeda suspects throughout East Africa. The search was given added impetus by Al-Qaeda's open boast that it was responsible for the attack on the Israeli-owned Paradise Hotel in Mombasa, Kenya, in November 2002, in which 15 were killed, and the simultaneous missile attack on an Israeli airliner as it took off from Mombasa airport. Both the United States and the UN cite Somalia as an Al-Qaeda haven, and a number of raids have taken place across that border to snatch suspects—most notably Suleiman Abdalla Salim Ahmed, one of those involved in the East African embassy bombings, who was grabbed in March 2003 thanks to a deal with a Somali warlord. Brigadier General Martin Robeson, the Marine commander of the U.S.-led anti-terrorism force now permanently stationed in East Africa, confirms that 25 Al-Qaeda suspects had been killed or captured by November 2003.

In June 2003, five men of Arab provenance were arrested in Blantyre, Malawi, on charges of funneling money to Al-Qaeda. This turned out to be a blunder, with the five men indignantly emerging to tell their story some months later. The Malawi police, they said, had been solely responsible for the mistake and that at no stage in their confinement had the five men so much as met an American. They had been taken to Lilongwe, accused of belonging to Al-Qaeda, and then put on an Air Malawi flight to Lusaka. The flight was, however, redirected to Harare where they were delivered to the Zimbabwean police. They in turn held them for a month before flying them out to Khartoum where the Sudanese government released them. They might have languished much longer in Zimbabwe but for the fact that one of them, Khalif Abdi Hussein, was a Kenyan and that after questions were raised in the Kenyan parliament the Nairobi government announced it had traced them to Zimbabwe. The interesting point here was simply that Bakili Muluzi, the Malawian president, has been a strong supporter of Mugabe and clearly had the idea that Al-Qaeda suspects ought to be turned over to him rather than to the Americans.

When the regime falls, there may be significant implications for the War on Terror, and several new pieces of the jigsaw puzzle could fall into place.

In the meantime, of course, both the Mugabe and Mbeki governments had taken a strongly sympathetic line towards Saddam Hussein in the run up to the Iraq War and had denounced the Anglo-American involvement there. Mugabe made it clear indeed that he identified strongly with Saddam and that the Americans were "enemies" who were planning an invasion of Zimbabwe too. When a black Zimbabwean, Christopher Muzvuru, a bagpiper in the Irish Guards, was killed during the British attack on Basra on April 6, 2003, the Mugabe press angrily denounced him as a "traitor" and "sell-out", a "mercenary fighting for an enemy government." When Muzvuru's body was brought back home, the Mugabe government tried to deny it burial, and Zanu-PF activists desecrated the grave.

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This past winter, finding myself in Harare again, I was struck by the fact that the U.S. embassy has put up posters offering a $2 million reward for Haroun Fazil—still on the FBI's list of the 21 Most Wanted as the man behind the East African embassy bombings. Quite clearly, the FBI believes either that he may be in Zimbabwe or that there may be people there who know him. I decided that this merited a visit to the Zimbabwean Criminal Investigation Department (CID)—a difficult venture for me since I may be wanted by them myself. But the CID are also the last remaining professional element within the Zimbabwean police, keen to remain in the good books of Interpol.

The CID have their headquarters in a vast police camp adjacent to Mugabe's presidential palace. Having got through the usual road blocks and security guards, I eventually found the office I was looking for, the one with a "Wanted" poster of Fazil from Interpol taped to its door. More interesting, though, was the poster mounted by the CID itself, showing a copy of Fazil's passport. For Fazil traveled to Nairobi to carry out the bombings from Harare and on a Zimbabwean passport. I was tempted to tell the desk officer that he might be able to learn more about that interesting circumstance by enquiring at the presidential palace next door but decided to leave that for another day.

IT IS NOT surprising that Mugabe's failed state should have become involved with terrorists: Mugabe has no scruple in deploying terror tactics against his own people and is desperate for friends and money. Moreover, even his thin list of friends has been rapidly diminishing. He remains on close terms with North Korea, and some of the uranium for that country's nuclear program is believed to have come from Zimbabwe. But with the retirement of Malaysia's Mahathir Mohamad and Qaddafi's decision in January 2004 to abandon his WMD program and seek détente with the West, it is not clear on whom, other than South Africa's Thabo Mbeki, Mugabe can now rely.

The hounds of hell still roam across Mugabe's lands. The real question is whether the major Western powers will continue to countenance a regime that commits human rights abuses on such a scale, or whether they will take the fairly modest steps required to bring Mugabe's house of cards tumbling down. When the regime does fall—and fall it must—there may be significant implications for the War on Terror, and several new pieces of the jigsaw puzzle could fall into place. □

The Bad Old Days

Rhodesia and South Africa arouse more passion in the West than they do among the citizenry of the black "front-line" states. The shelves of one Lusaka supermarket I went to were laden with South African merchandise—meat, toilet paper, detergents, tinned goods of all kinds . . . . As I strolled along the alley-ways of the Lusaka supermarket, I reflected ruefully on the crisis of conscience occasioned in the past by my consumption of South African oranges.

—Shiva Naipaul, *North of South: An African Journey*

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"THE ALTERNATIVE TO cosmopolitanism and imperialism is nationalism devoted to the preservation and enhancement of those qualities that have defined America from its inception."

—*Samuel P. Huntington*

"EUROPE'S DEMAND for a non-reciprocal veto powerfully reinforces what is already too strong a view in the United States—that Europeans are children playing in the post-historical sandbox that Europe has become under American security guarantees."

—*Walter Russell Mead*

"WASHINGTON cannot ignore or oppose Moscow's concerns while expecting the Kremlin to accommodate American priorities."

—*Nikolas K. Gvosdev*

"IN THE ARAB WORLD, the rhetoric of democracy is seen as the mask of imperialism."

—*Ray Takeyh*

"YET IRISH nationalism was nonetheless able to eradicate the dark stain of murderous truth from its self-absorbed and self-justifying narrative. . . . [Its factual corruption has entered almost all official histories, like a modern computer virus."

—*Kevin Myer*

"IF AT THE end of this year Turkey does not receive a date to commence negotiations, the consequences could be severe."

—*Zeyno Baran*

"BUSH HAS NOT just failed to lead. He has actively damaged the prospects for world trade and growth."

—*Ian Campbell*

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